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CHILE AND PERU

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The causes of the War of 1879

BY

DON GONZALO BULNES

Senator; Ex-Plenipotentiary Minister and ex-Extraordinary Ambassador of Chile in the Argentine Republic.

(From his History of the War of the Pacific)

SANTIAGO DE CHILE
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CHILE AND PERU.

THE CAUSES OF THE WAR OF 1879.

(By Don Gonzalo Bulnes).

Relations between Chile and Bolivia before 1879.

1810. When the American peoples freed themselves from Spain, their territorial boundaries were not well determined.

The mother country had no political interest in fixing the outlines of the sections forming its colonial Empire, save in the part where they touched Portuguese possessions, because such divisions were for them merely administrative and internal. At most, care had been taken to define the jurisdiction of authorities in order to avoid competition and disagreement, but even so much was rendered difficult by reason of the backwardness of American geographical knowledge in unexplored regions. Since, later on, each of these sections formed an indepen-

dent Republic, frontier disputes arose as soon as the border territories acquired importance.

The new Republics adopted as a common principle of frontier demarcation the administrative limits existing at the moment of separation from Spain. This was termed the *Uti possidetis* of 1810, a formula devised, mainly to prevent European nations from setting foot in America, on the plea that between one heritage and another there were vacant regions susceptible of being occupied by title of *res nullius*. The *uti possidetis* of 1810 was the juridical principle of territorial delimitation of the American States between themselves.

The Bulnes Government has the merit of having established the northern and southern boundary lines of the Chilian Republic, anticipating in this all the other American countries, thus, with admirable foresight preparing for the future Chilian race a territory adequate to their aspirations of industry and expansion.

1842. In the period of one year, between 1842 and 1843, the northern limit of the country was fixed in the parallel of Mejillones and in the South in the Magellan Strait, a colony being founded there called then Fort Bulnes, now Punta Arenas.

Matters referring to the Straits are outside the scope of this book, which concerns itself only with the northern dominion, Mejillones, this being the crux of the boundary question between Chile and Bolivia, the seed of the cruel and prolonged conflict that I propose to relate.

In 1842 there were discovered in Peru great deposits

of Guano, and although at that time it was not possible to foresee the enormous importance which this fertilizer was to assume in the public revenue of that country, enough was known to appreciate it as a source of national income.

The Government of Chile sent a commission to explore the northern coasts of the country as far as the parallel of Mejillones with the object of finding whether or no similar deposits existed. The report of the commission was not very favourable. The guano found was nelther abundant nor of high quality. None the less, Bulnes took stand on this prospecting expedition to send a message to Congress introducing a bill which declared the guano deposits situated to the south of the 23rd. parallel to be National property, *as being within the limits of the territory of the Republic.*

Mejillones the northern boundary.

The message read as follows:

«Fellow citizens of the Senate and Chamber of Deputies. The utility of the substance known as Guano being recognised in Europe, which substance from time immemorial has been made use of as a manure in agricuitural work on the Peruvian coast, I considered it necessary to send a commission to explore and examine the coast line between the port of Coquimbo and the Morro of Mejillones, with the idea of determining whether there existed within the territory of the republic any guano deposits, the exploitation of which might supply a new source of revenue to the country. Although the result of the expedition has not fully fulfilled the hopes that had been entertained in this respect, none the less from 29 degrees 35″ to 23 degrees 6″ of south latitude, guano has been found in sixteen places on the coast, and the islands adjoining it, in more or less abbundance

according to the nature of the localities in which these deposits exist.

«Far from assuming, after the work of this expedition, that the guano deposits of Chile have the importance that is attributed to those of Peru, I am inclined to believe that the profit to be derived from them will be of relatively short duration, but none the less this does not imply that the exploitation of these deposits should be left free to foreign commerce, thus depriving the nation of a resource which, without adding any burden to the public, may serve to supply subsidiary funds that may be applied to many objects of common utility urgently required.»

This important document bore the signatures of the President, don Manuel Bulnes and of the Minister of Finance, don Manuel Rengifo. Both Chambers approved the Message unanimously, and the projéct was promulgated as law in October 1842. Under the form of an internal measure it was officially established by the Executive and by Congress that the Northern limit of the Republic was the Bay of Mejillones.

The guano law

The law provides that the guano deposits situated to the South of this parallel were national property, and that any ship loading guano without permission of the Government would be confiscated, and that the President was empowered to impose a customs duty on its exportation. Bolivia protested, alleging that its southern limit was not the 23rd. degree of latitud as the public authorities of Chile had stated, but the 26th. degree. The difference convered three degrees of latitude, and the question turned on these three geographical degrees from 1842 in which it was started until 1866 when a treaty was signed that was believed to settle the matter.

The second clause of the law says:

«Any national or foreing ship that, without the permission of the Government of Chile, takes Guano from any places included in the former clause will be confiscated together with the cargo on board.»

Jurisdictional conflict

From that day on, conflicts of jurisdiction between Chilian and Bolivian authorities were frequent. Bolivia adquired a small ship, the «General Sucre» to guard the coast and to prevent the loading of guano under Chilian permission within the three geographical degrees 23—26 which were claimed as being Bolivian territory, and this ship took the «Rumenia» under the Chilian flag and carried her into Cobija.

During the Bulnes Administration these incidents were repeated. In 1846 the «Janequeo», belonging to our navy, took men to Angamos to establish an industrial exploitation of guano, an act that further affirmed the dominion of the Republic in this territory. Bolivia again protested.

The following year a Chilian ship, the «Martina», embarked guano in Mejillones. The administrative authority in Cobija ordered her tho sea; the captain disobeyed, and, as a diplomatic claim was formulated for this reason the Minister of Foreign Affairs, don Manuel Camilo Vial, said in his reply: «The brigantine «Martina» has carried on the exploitation of guano in the territory of the Republic of Chile, and, in consequence, the persons on board her were acting within their rights in resisting the requirements which were made of them in the name of the public authority of Cobija.»

Shortly afterwards a commercial company constituted in Chile began works of guano exploitation in Mejillones, and the Bolivian authorities having sought to impede them, the company obtained the aid of the Chilian Governement ont its behalf.

The President don Manuel Montt and don José Joaquín Pérez continued the policy followed by the Bulnes Administration. In 1853 the «Esmeralda», commanded by Captain don José Anacleto Goñi took in Mejillones a guano ship, the «Sportsman», and carried her into Caldera, and finally, Captain Williams Rebolledo, during the Pérez Government, turned out a guano working in the same place that was being carried on under Bolivian permission by the Brazilian don Pedro López Gama.

Diplomatic efforts

Whilst these grave conflicts were taking place in the north, there was being exchanged between the two countries a diplomatic mission which debated the dominion of the three disputed degrees, putting the conflict on a historic basis, that is to say—discussion of the fact as to whether Spain had confided the administration of this territory to the authorities of Charcas or those of the Governor General of Chile. The Colonial archives were ransacked, proofs were heaped up and counter proof also, very notable among these labours being those of the Chilian, don Luis Amunategui, and of the Bolivian, don José María Santibáñez.

These diplomatic efforts were fruitless. During the twenty years between 1842-1862, usseless attempts at conciliation were made by don José Joaquín Vallejo, the famous writer who signed himself Jotabeche, and don

Francisco Javier Ovalle; and in Santiago, where the debate was carried on by the Bolivian orator and publicist, Don Casimiro Olañeta, don Manuel Macedonio Salinas and the historian already named, don José María Santibáñez.

This situation could not be continued indefinitely. Every day the affair became more acute in consequence of the greater interest that was being taken in guano in view of the increase in the revenue of Peru due to the deposits on the Chincha islands. The controversy became critical in 1873. The Bolivian Congress conferred power secretly on the Executive to declare war on Chile.

The Treaty of 1866

When the minds of both peoples were in an excited state, an unexpected situation arose that modified the political relations of the nations of the Pacific; i.e. the war declared by Spain on Peru and the reassertment made by the former country of her claims to the Chincha islands. The Governments of the Pacific were alarmed, and Chile, Bolivia and Ecuador made common cause with Peru. Previous differences were considered as being of secondar y importance, and a breath of fraternity blew over the Governments in the presence of this attitude of the mother-country, which, in the opinion of the defenders and apostols of American union aspired to the reconquest of its old dominions and was provoking them to a second war of independence.

The union of America.

The sentiment inspiring this policy was generous but not practical. Spain was not in a position to undertake an enterprise that was far beyond her resources; but the nation were the victims of a fixed idea, and Chile, without taking into account anything other than the possibility of that remote peril, launched out in a war that cost her great sacrifices.

The first effect of the new international current in Bolivia and Chile was to bring about the end of the guano question, which question was identified with that of boundaries. Bolivia took the initiative in the matter.

Interrupted relations were resumed. Chile accredited in La Paz don Aniceto Vergara Albano, and Bolivia entrusted the same charge in Santiago to don Juan R. Muñoz Cabrera.

The then President of Bolivia, General don Mariano Melgarejo, a military leader, had imposed his authority by force of arms, overthrowing the former president—a procedure sanctioned by the usage of the country, where hitherto the transference of power had invariably been made by means of garrison «*pronunciamientos*».

Melgarejo expressed his manifestations of delight over the renewal of relations with Chile almost to excess, and proposed and arrangement of the existing questions, which was, with slight modifications, accepted.

Examination of the Treaty.

The proposal of the Bolivian Government was the Treaty of 1866.

This Treaty stipulates:—

A. The international boundary will, in future, be drawn at the 24th parallel, and will be marked out on

the ground «by means of visible and permanent signals» —«from the Pacific *to the eastern boundary of Chile*» by experts nominated by both countries.

B. Notwithstanding the previous declaration, Chile and Bolivia shall divide between them the export duties paid on Guano and *minerals* in the zone included between the 23rd and 25th parallels.

C. For the carrying out of this, Bolivia shall set up a custom-house in Mejillones which will be «*the only one*» authorised to receive these duties on the exportation of guano and «metals» (*metales*) from the aforesaid zone.

Chile will have the right to nominate fiscal employees —«who shall *intervene in the counting house department of this aduana with full right of inspection*».

Bolivia will be conceded en equal right in the event of Chile establishing a custom-house in parallel 24°.

D. All exports from the territory situated between the parallels of latitude 23° to 25°, with the exception of guano and minerals, to be free from taxation, as will also be the natural production of Chile which may enter the country through Mejillones.

E. By common accord between the two governments a system will be adopted in the exploitation and sale of guano, *and a similar agreement must be come to, to determine the duties on the exportation of minerals.*

F. Chile and Bolivia bind themselves to mutual preference in the event of the renting of the territories forming the subject matter of the present agreement, and to abstain from ceding them to any nation, society or individual.

G. Eighty thousand pesos, withdrawn fron ten per cent. of the production of Mejillones will be granted to Bolivian concessionaries in guano exploitation whose workings were suspended by act of the Chilian Government.»

I have underlined the stipulations which were productive of the greatest difficulties.

I now propose to examine these difficulties in the order of their appearance in the treaty.

A. The fixing of the international limit was to be made from the sea to the Eastern boundaries of Chile by means of visible and permanent signals. The lack of precision in the phrase «Eastern limits os Chile» arose from the fact that it was considered among us as an unsettled question where the eastern boundary of the country was along the whole extension of the fron tier of the Argentine Republic. In consequence, the task of the experts would be to establish the parallel between that unknown line and the Pacific.

The Treaty did not say whether this work required, in order to be definite in character, the approbation of the Govenments. Implicity, such approval was unnecessary because it is contrary to the essence of an expert operation to require the intervention of a referee when the experts are in agreement. The authors of the Treaty implied this meaning when they laid it down that the line should be marked out by means of *permanent* signals, which expression is out of harmony with the idea of a provisional and inconclusive delineation.

The Government of Chile understood that the act of

the experts did not require its approbation, and acted accordingly.

The eastern boundary

Further, when the commissioners of both countries, Don Amadeo Pissis for Chile and Colonel Mariano Mujia for Bolivia presented their plan to the Chancelleries, both kept silent, which gave reason for the supposition that the said plan was definitely sanctioned. But some time later on, the mining district of Caracoles having been discovered, the international position of which was influenced by the eastern line traced out by Pissis and Mujia, which placed it within the zone of dual jurisdiction, Bolivia asserted that the plan was without value, not having been approved by decree, and proposed a new eastern line, so calculated as to leave Caracoles within its exclusive dominion, which fact would permit Bolivia to receive the whole revenue derived from the tax on minerals and not have to divide it with Chile. This point was extensively discussed.

The system of joint administration

B. The second article created a *halving rule* for the zone included between the 23° north and the 25° south, which rule consisted in the division by halves between both countries of all the imports to be received for guano and metals. These substances only were mentioned, because it was believed that there were no others obtainable in that region.

The halving and right of fiscalization which was its consequence was the seed of discord, since it was impossible to reconcile the legal situation of partners in a civil society with the international individuality of sovereign

countries, which considered that to permit extraneous authority in their laws and administration affected the national dignity. It was humiliating for Bolivia to accept foreign custom-house officers in her *aduana*, and more so to have her liberty of legislating curtailed.

However absurd the halving agreement appears, it was logical and almost unavoidable, because the Treaty had in view the solution of the proprietary right of the guano workings, which had hitherto been the chief cause of disagreement; and as they were situated in Mejillones, in the extreme north of the 23°, it would not have been possible to resign the halving of the profits rendered by them without implying a cession on the part of Chile and not a business transaction.

Joint control of custom-houses.

E. This clause contains variuos stipulations of a different order.

One of them lays down that Bolivia should set up the custom-house in Mejillones for importation and exportation, adding that it would be the *only one* through which the commercial traffic of the zone divided should be made. It is true that it stipulates that the same right of inspection which it conceded to Chile in Mejillones would in like manner be granted to Bolivia in the event of Chile appointing any custom-house in territory of the 24°, but this possibility was remote; it was then considered improbable; and in any case even supposing that the unlikely thing happened, the clause implied the idea that Bolivia would be under no obligation to appoint other custom-house save in Mejillones, subjet to Chilian fiscalization.

The same clause regulated the sharing agreed upon in the former article, authorising Chile to appoint employees in Mejillones, who should oversee the correctness of the Bolivian administration and receive on her account the half of the dues.

Finally it lays down that the *metal* or *minerals*, terms which the Treaty considers as being synonymous, proceeding from the common zone should pay a duty fixed by mutual agreement between Chile and Bolivia.

All went well with respect to the first named point whilst no nitrate of soda was discovered in the common territory, but when this discovery was made near Antofagasta, commercial necessity obliged Bolivia to take up this port. Thereupon arose the requirement on the part of Chile that the right of fiscalization should be extended to the Antofagasta custom-house, the place where the minerals liable to payment of duties were embarked. Bolivia resisted the claim, basing her standpoint on the literal reading of article 3 of the Treaty, and this attitude, again, was answered by the Chilian argument that her rights of fiscalization would be annulled if they were not exercised over all the custom-houses in which the duties on the exportation of minerals in the common zone were received.

No less serious were the disagreements originated by the intervention in the customs, since, treating of goods owned in common, this fiscalization was extended to all the acts that might influence the results of the custom-house.

Minerals or metals. The discovery of salitre in different parts of the territory originated a debate between the Foreing Offices over the meaning and range of the words *Minerals* and *Metals*. Should metalliferous subtances only be understood by the word minerals, or also the inorganic substances (*sic*) like nitrate, borax, sulphur and iodine?

D. The exportation duty on the minerals of the common zone was to ve determined by agreement between Chile and Bolivia. The limitation which this implied for Bolivia cut off her liberty of legislating on this point without the consent of Chile, a fact that originated noisy protests on her part that embittered diplomatic relations and brought both countries to the verge of war.

The remaining clauses provoked no difficulties.

In Bolivia this Treaty has been considered as being the work of Chile effected by means of a tortuous diplomacy which abused the ignorance of affairs of the opportunist General Melgarejo.

If looked at from this point of view, however, it was not unfavourable to Bolivia, given the situation created by the events referred to in the preceding paragraph. With it, Bolivia gained the advantage that Chile should withdraw her international boundary from the 23° to the 24°, contradicting by so doing the invariable policy of its governements, and giving up half the guano properties that the law of the year 1842 had declared to be national property.

Conditional character of the treaty.

The gravest defect of this document lay in its conditional character, which influences the meaning of all its clauses. If Chile conceded to Bolivia the ownership of a part of the disputed territory, it was on the understanding that Bolivia should fulfill her obligation with respect to guano and minerals. If Bolivia did not accept inspectors in the custom houses or did not reveal the funds produced by the exportation duties, the Treaty was violated and virtually ceased to exist. The same thing would occur if Chile denied to Bolivia the same prerogatives in the territorial zone that the Treaty declared to be her property. Each difficulty raised a question of sovereignty, because the injured country might allege that the pact, which constituted a concession on its part, not having been complied with, it would restore its territorial right to the situation in which it stood before the signing.

Before long, both countries were discontented with the Treaty. Bolivia, basing her attitude on the historic claims as expressed by her publicists, considered it as an unwise concession of a part of her territory, obtained thanks to the ignorance of an opportunist leader who trod under foot the popular will. Chile, with equal conviction, believed herself to have bargained away territory undoubtedly hers, without obtaining the pacific solution which she sought to gain by agreeing to it.

Melgarejo asks Chile to occupy the coast.

As a matter of fact, the Treaty settled nothing, it left everything pending and opened the door to difficulties greater than those it attempted to settle. It has been said that the thought ins-

piring the Chilian negotiators in celebrating this Treaty was to prepare a pretext for taking possession of the coast line; a fixed idea of our policy, it was supposed, from that time forth; but if Chile had this in view in 1866, Bolivia gave her the means of carrying it out. General Melgarejo requested our Government to garrison with Chilian troops the most important port on the coast, giving as a reason, the lack of confidence which the soldiers of his own country occasioned him (1).

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(1) Here follow some hitherto unknown particulas with regard to this fact.

Vergara Albano, Minister in La Paz, wrote to Santiago, on June 15th 1866.—«Yesterday General Melgarejo called me to ask, that the Government of Chile should send a garrison of fifty Chilian soldiers with their respective officers who should reside in Cobija and be subject to the direct orders of the Prefect General of that Department. General Melgarejo has very grave motives for not sending forces from Bolivia to that place and as he has extreme confidence in the discipline, morality and decision of the Chilian troops, he prefers that the port of Cobija and the *neighbouring* «caletas» should be defended by a Chilian garrison».

The President of Chile, Don José Joaquín Pérez attended to the petition of Melgarejo and wrote to him privateiy on the matter. (Note of Vergara Albano, La Paz. July 16, 1866). In consequence of this, the Bolivian Government increased its request for troops and officers to one hundred men instead of fifty, and gave orders for their reception in Cobija.

When it appeared that all was ready for the soldiers to set out for the Bolivian coast, the Minister of Bolivia in Santiago made objections to the measure and sought to gain time by saying that he was waiting to allow the Prefect of Cobija (in agreement with

Melgarejo was overthrown by a military revolt, and the partisans that followed the victors opened a campaign of depreciation against his administration.

Congress dictated a law declaring null all acts of the previous Government. This declaration would have permited Chile to re-occupy the port of Mejillones and the territory situated to the south of 23°, but instead of so doing, Chile sought a new means of conciliation.

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whom he acted) time to construct barracks to receive the new garrison.

«The Government of Chile to its Minister in La Paz, 2nd August, 1866. «We have postponed the sending of a Chilian garrison to Cobija, notwithstanding your instructions in this respect, in view of certain suggestions made to me by the Bolivian Minister Plenipotentiary. The Minister Muñoz believes that the *matter is a delicate* one, adding that, according to communications received by him, the Prefect of Cobija shares this opinion.»

Referring to the same point, the Chilian Government wrote to its agent in La Paz, 1st September, 1866—«With reference to the request of his Excellency the President of the Republic of Bolivia that a hundred men of the Chilian army should be sent to garrison Cobija, you are to state that this Government is ready to accede to these wishes, but that Don Mariano Donato Muñoz having stated that first of all it will be necessary to prepare barracks for their accomodation in Cobija, the sending of the said troops is deferred until further advice from the Bolivian Government or Legation.

«Respecting the Chilian garrison for Cobija, replied Vergara Albano, «I have informed the President of this Republic that their dispatch has been postponed by reason of certain considerations advanced to Your Excellency by the Bolivian Minister.

«I have read to General Melgarejo the paragraph of the note of Y. Excellency referring to this affair, and he has been quite disgusted that his agents have not complied at once with his ins-

Lindsay Corral Agreement in 1872

In the previous paragraphs are rapidly recapitulated the principal features of the bitter controversy that maintained strained relations between the Governments of Chile and Bolivia, in order to render more easily comprehensible the diplomatic solution which is known as the «Lindsay-Corral Agreement».

The pettyness of the divergencies helped to inflame the spirit of the disputants. A difference over a matter of great importance awakens enthusiam and passions, the war of pin-pricks exasperates and irritates. In Bolivia the idea gained ground that Chile intended to offend the national dignity by the abuse of superior forces; in Chile, that it was impossible to come to any definite understanding with the long winded Bolivian doctors. Such was the state of the affairs in one country and the other, six years after the embraces of American Union in 1866.

The governments made a new effort to facilitate compliance with the existing Treaty, seeking an accomodation,—not a new treaty which at that moment was

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tructions, The General insists absolutely on the inmediate dispatch of one hundred Chilian soldiers to Cobija, with their respective officers, adding that he has only confidence in Chilian troops to preserve the peace in those parts, so far removed from Governmental vigilance and action.»

The Government of Chile made no attempt to counter the dilatory procedure of the Bolivian Minister in Santiago, which it could easily have done as it counted with the goodwill of Melgarejo.

considered impossible, in view of the wide discrepancies between the requirements of the two countries. With this object, Don Santiago Lindsay was accredited as *Chargé d' Affairs* of Chile in La Paz, and Bolivia nominated as Plenipotentiary *ad hoc* to treat with Lindsay, the Minister of Foreign Affairs, Don Casimiro Corral.

The negotiators arrived at an understanding expressing their ideas in an agreement dated Dec. 5, 1872.

This agreement left unaltered the international boundary in parallel 24° and the halving arrangement, but regulated the latter, conceding to Chile the right of vigilance over the aduanas which should be established in the 23°—24°, and to Bolivia those established by Chile between 24°—25°. In this manner the debated point of custom house intervention in Antofagasta was solved.

The account of the custom-houses held in common would be liquidated every two months, deducting the costs of the employees of the custom houses and of the legal service. The export tariff on the minerals could not be modified save with the consent of both parties to the agreement, and Bolivia would make a *separate* account of the amount to be received for taxes not derived from the common zone.

A very important point of the new agreement was the recognition, as «minerals», of salitre, borax, sulphates, etc.

Another of the principal understandings of this agreement consisted in the fixing of the eastern limits of the

common zone by experts of both countries, and in case of disagreement, by a third nominated by the Emperor of Brazil, it being understood that their work would be definite, not requiring the sanction of the governments.

This is the essence of the agreement. Good or bad, it was a *modus vivendi*. a bridge by which to obtain a new Treaty in place of the existing one.

Bolivia postpones approval of the agreement.

Chile received it with little pleasure, but approved it. The Bolivian Congress adopted the following resolution, taken in the session of May 19, 1873.

«The examination of the Lindsay-Corral Convention and the resolution to be passed on it is postponed to the next ordinary Assembly of 1874.»

This attitude of the Bolivian Assembly is explained by the change which took place in the policy of that country through the secret Treaty celebrated with Peru and approved at this time. This is a point which will be dealt with in full in the next chapter. Novertheless, it should be noted that the Lindsay-Corral Agreement, not being a new Treaty, but explanatory of that 1866, did not require the intervention of the Congresses, and that under such understanding President Errázuriz approved and promulgated it. The fact that the Bolivian Government treated it as a Parliamentary matter was an indication of the attitude taken up, and a means of explaining to Congress what it was impossible otherwise, the secret treaty with Peru having just been celebrated under its auspices.

Communications between Chile and Bolivia being then

very slow, the dissimulated disapproval of the Bolivian Congress was not known in Santiago till some time after, and as Lindsay had resigned his post as soon as the Agreement was signed, the Chilian Government was ignorant of the suggestions of Peruvian policy, and accredited as its agent in La Paz, Don Carlos Walker Martínez.

This is in broad outline, the unfortunate history of the Treaty of 1866. It is recapitulated since it shows as openly as possible the motives governing the actions of Chile and Bolivia. It can not be said that Chile always had the right on her side. Historic impartiality obliges one to recognise that obstinacy was shown now on one side, now on the other. In general, Bolivia proceeded as any other nation would have done in her place, desiring to limit foreign intervention to what had been expressly agreed upon, that is, to the Mejillones custom-house, and to reserve the nitrate tax, giving the word «minerals» its strict meaning. But it also must be borne in mind that every demand of Chile involved a reciprocity onerous enough for her, since the same rights Chile demanded in the zone formed between the 23° and 24° she conceded in that of the 24°—25°, and that undoubtedly, the thought that inspired the transaction of 1866 had been to divide the profits, from whatever source, in the disputed territory.

The declaration of the Bolivian Assembly respecting the Lindsay-Corral Convention necessarily tended to bring matters to a head because it was altogether too clear a refusal to oppose to the considerable diplomatic

effort expended by Chile; but happily, serious results did not follow. New negotations were started, terminating in the Treaty of 1874. Before dealing with this document,—the third step of the rough and dangerous road traversed since 1866,—it is necessary to acquaint the reader with an incident that created a great deal of discussion at the time.

Quevedo's Expedition

In consequence of the political convulsions of Bolivia there lived in Chile a colony of *emigrés* from that country, among whom figured some who had been members of previous governements. One of these was General Don Quintin Quevedo; another, the ex-Minister of Melgarejo Don Mariano Donato Muñoz.

It appears certain that both were in collusion with some Chilians, who lent them resources wherewith to provoke a change of government in Bolivia, with a view to the obtaining of considerable profits in money and in concessions on the coast-line. What is merely an unfounded supposition is that the Chilian government was mixed up in this discreditable aventure.

The proceedings of the *emigrés* were watched by the Bolivian Legation, in charge of Don Rafael Bustillo. a noisy diplomat of the autocratic school.

The representative of Bolivia in Chile.

Bustillo was Minister of Foreign Affairs in La Paz in 1853, when Don José Joaquin Vallejo presented himself there as diplomatic

agent of Chile, sent thither by the government of Don Manuel Montt to obtain a settlement of the troublesome incidents produced at sea between vessels loaded with guano and the Chilian authorities. Bustillo demanded as a condition of the recognition of Vallejo in his official character, that he should as a preliminary give satisfaction for the measures adopted by Chile with the guano ships that carried Bolivian licences. This occasioned an energetic diplomatic complaint that bore the signature of don Antonio Varas. Bustillo, then, was the wrong man to represent Bolivia in Chile in the incident to which I am about to refer.

In July, 1872, the Intendente of Valparaiso, Don Francisco Echaurren Huidobro was informed that a ship with the Guatemala flag, anchored in the bay, the «Maria Luisa» carried a cargo of arms, destination unknown.

The Intendente sent on board the Maritime Governor, Don Patricio Lynch, to take possession of the ship's papers in order that she might not sail, intending the following day to search the cargo, a thing impossible to carry out the same day on account of the hour at which the matter was denounced. Lynch complied with the order, but the ship escaped from the bay in the night.

After the flight of the «Maria Luisa», the Consul of Peru in Valparaiso, Don A. Salmon, who had interim charge of the vice-consulship of Bolivia, warned the Intendente that another vessel was about to sail for the Bolivian coast, the «Paquete de los Vilos», bearing armed men and munitions of war. The Intendente

repeated what he had done with the «Maria Luisa». The Maritime Governor went on board, took the papers and the vessel was left under observation. A search was made, and only twenty first and second-class passengers were found. There were no arms found. After taking these steps, the Intendente Echaurren went personally, accompanied by Lynch, to the residence of Consul Salmon and pointed out to him that although denouncement was not substantiated by the results of the investigation, none the less, he would detain the steamer by force till further orders if requested to do so. The Peruvian official, whom the fate of the Bolivian government did not worry much, answered that he could not assume such a responsibility.

In view of this reply, the ship sailed. There went, hidden in it, Quevedo, Muñoz and their associates. When off Los Vilos, the passengers intimated to the Captain, revolver in hand, that he should set his course for a port appointed as a meeting place with the «Maria Luisa», and from thence both vessels proceeded northwards in company.

The raid of Quevedo

The «Paquete de los Vilos» having arrived at Antofagasta the authorities on shore, not knowing what ship it was and still less her object in putting in, sent out a boat to receive her. The crew of the vessel took possession of the boat and went on shore to the number of 46 armed men. The authorities fled, embarking in a steamer anchored in the bay. Quevedo made himself master of the town without firing a shot. A correspondent who was present

during these happenings wrote to a Santiago journal «If the blow had fallen at night, no one would have had any knowledge of the political change that had taken place in the town».

Bustillo suffered a paroxysm of rage when he heard what had occurred and wrote to the Intendente of Valparaíso saying—«All the immediate responsibility of this attempt against Bolivia rests with you».

The Intendente complained of this accusation to the Minister of Foreign Affairs. The Intendente was not only a high functionary but was also connected by marriage with the President of the Republic.

Bustillo's insults

The complaint of Echaurren Huidobro crossed with an official note from Bustillo, asking the Government what measures it had taken to punish the accomplices of Quevedo. In it, the following ideas are given expression:—«The immediate promoters and instigators of the plot are *here under the high jurisdiction of the Most Excellent Government of Chile.* The public conscience points a finger at the infamous and bloody scheme which set its cunning in action to fit out and arm the chief of the band in war against Bolivia; a fact that Chilian diplomacy itself would hold up to the execration of the world with indisputable documents».

The Chilian Government demanded that he should explain to whom his insinuations referred, and after seven days, as Bustillo did not reply, fortyeight hours were allowed him in which to define his charges. The Bolivian Minister returned the note without answering it. The Minister in Santiago severed his relations with

him and denounced his conduct to the Government of La Paz.

In the meantime, Quevedo had arrived at Antofagasta with a handful of men. Dominated by the visionary enthusiasm of the *emigré*, believing in his own illusions, he went on shore in the port believing that the coast would spring to arms like a single man and that this enthusiasm was shared by the troops.

Unfortunately for him, matters did not fall out thus. There was a small garrison in Mejillones which, on hearing of what had happened in Antofagasta marched overland to that town. On hearing of its arrival, Quevedo reembarked directing his course to Tocopilla and abandoned his conquest.

Quevedo in Tocopilla

He went on shore at Tocopilla, and a Bolivian battalion that garrisoned the place received him with bullets. At the first threat of resistance, he fled, taking refuge on two little steamers or rather tugs, in the bay, the «El Morro» and the «Lopez Gama». Whether by reason of over haste or some other cause unknown, these two little steamers collided. Quevedo took to the boats to save himself, believing that the one he was in was about to sink. and sought safety on board the «Esmeralda», a Chilian ship that was in the port under the command of don Luis A. Lynch. Seeing from the deck of the «Esmeralda» that the «Lopez Gama» wast not sinking as he had believed Quevedo attempted to re-embark in her, but Commander Lynch opposed this on the ground of neutrality.

In such manner this ridiculous adventure fell to pieces of its own accord.

The Bolivian Government requested Chile, through diplomatic channels, to deliver up the arms surrendered by Quevedo to the Commander of the «Esmeralda» in Bolivian territorial waters, but the Minister answered that considering the case to be matter of discussion, he had referred his decision to the Supreme Court of Justice. The Court ordered the arms to be given up to Bolivia and this was accordingly done. Such in brief was what happened.

Was there Chilian complicity in the acquirement of the arms and in their embarkation in Valparaiso?

That assault on the Captain of the «Paquete de los Vilos», in which, with a revolver at his head, he was ordered to proceed to Antofagasta—was a comedy enacted between Captain and the conspirators in order to allege coertion in the judgment to follow?

It seems most probable that both questions might be answered in the affirmative; but with respect to the complicity of the Chilian Government in this discreditable adventure, Bustillo presented no concrete proof, nor even a plausible accusation, and it is sufficient to take into consideration the fact that if the Government had really had a hand in it, Quevedo would not have landed in Antofagasta with fortysix men!

At the time of Quevedo's expedition, Chile at sea was disarmed, in contrast with Peru, which possessed the squadron that figured in the war of the Pacific: the *Huas-*

car the *Independencia*, the monitors *Manco Capac* and *Atahualpa*, as well as other minor vessels.

Chile, on the other hand, only had available two wooden corvettes, the *O'Higgins* and the *Chacabuco*, and two antique speciments of naval architecture, best fitted to be in a museum as relics of former glories, the *Esmeralda* and the *Covadonga*. The *Blanco* and *Cochrane* were not out from the shipyards of Hull, in England, where they were building.

The Government of Lima and the Peruvian press, making capital of this naval inequality, exploited the attempt of Quevedo as a means of alarming Bolivia and deciding that country to throw itself into her arms, saying that the prime mover of the attempt was President Errazuriz, and his object the taking of the coast-line of Bolivia. And this matter, however insignificant in itself, had much influence on the Secret Treaty and in this sense forms an incident of great interest in the history of our relations with Bolivia and Peru.

I repeat, the Government of President Pardo exploited the suspicions of Bolivia by making Chilian policy and not Quevedo, responsible for that act in order that Bolivia should seek her salvation in an alliance with Peru. A point was made of the circumstance that there was present in Tocopilla and in Mejillones a portion of the negligible Chilian squadron, and in its presence a proof of complicity with Quevedo was deduced.

Threats of Peru

Pardo made a naval demonstration in Mejillones, sending there the *Huascar* and *Chalaco*, and his Minister of Foreign Affairs, don José de la Riva

Agüero, wrote to the Legation in Santiago manifesting the surprise with which Peru saw that Chile had ordered the constructions of two ironclads which she did not need for her defence; the suspicions aroused by the presence on the Bolivian coast, at the time of the arrival of Quevedo, of Chilian vessels, and that in face of these evident proofs his Government had made a naval demonstration in Mejillones. Giving its true intonation to this lofty asd defiant policy, the Peruvian represen tative was charged to call the attention of the Chilian Governement to the fact that Peru would not view with indifference the occupation of Bolivian territory by foreign forces.

This was the consequence of that ill advised policy of American Union in 1866. The relations of peoples de pend on the equilibrium of mutual suspicion, not of love. Statesmen worthy of the name cannot overdo manifestations of confidence without falling into ridicule or into peril. The Nations do not love one another. They watch one another and direct their curse according to their permanent interests, not by ephemeral embraces. Trough having forgotten this principle, Chile in 1866 permitted her ally Peru to acquire a naval power far outmatching hers and the consequence of this was seen in the naval demonstration of Mejillones six years afterwards, and in the Secret Treaty which involved the peril of her disappearance as a nation. If anyone had had the foresight to say this in 1866, he would not have been listened to. Had not all frontiers been wiped out? Was not America united in a fraternal embrace?

The treaty of 1874.

In the year 1873, Don Carlos Walker-Martínez went to Bolivia in the capacity of Chilian Chargé d'Affairs. It would have been difficult to find another diplomat with a greater desire to reconcile the two countries.

He arrived in Bolivia at the time when public opinion was most excited against Chile. The country was still unaware that the Treaty of Alliance with Peru had been formally concluded, a matter about which I propose to speak later on, but the public divined what they did not actually know, and it was sufficient for Bolivia to suppose that her pretensions would be aided by her well armed and powerful neighbour to render her attitude still more uncompromising. «It is difficult to imagine,» says Walker Martínez, «the ill-will which at that time dominated in Bolivia with respect to our country. The Peruvian press fed the conflagration with baseless exaggerations. The Government of Lima offered its ironclads and monitors and the word War was repeated in private circles and more than once in public meetings. Our press also woke up and became bitter in its tone».

The spirit of the treaty.

Shortly after his arrival at La Paz, Walker Martínez heard a vague rumour that a conspiracy was being hatched against Chile by Peru, Bolivia and Argentina, and without giving credit to it but none the less fearful that it might materialise, he invited the Bolivian Minister of Foreign Affairs, Don Mariano Baptista to discuss a Treaty which should

abrogate that of 1866, taking as a basis the suppression of the sharing system which had been the cause of all the disagreements, and the recognition of Bolivian sovereignty up to parallel 24°; Chile reserving rights over guano.

Baptista, a good and able man, considered these propositions as a refutation of the intentions attributed to Chile, and accepted the offer. Through causes wich it is not neccessary to go into here, the agreement of 1873 was not carried through till 1874.

The Treaty of 1874 is of capital importance in the understanding of the causes of the War of the Pacific, because it established the legal position that existed between both countries when that war broke out.

Walker Martínez expressed the spirit of this treaty saying that its object was to assure peace, to supress all motives of discord and to give guarantees to Chilian capital and industries invested and developed on the Coast.

The first object was obtained by the following clauses. The limit of both countries was retained in parallel 24° and the Eastern boundary of Chile on the Andine Cordillera in the «divortio aquarum» (watershed), a term considered to be synonymous with the «summit line». The halving arrangement was abolished except for guano in process of being worked, or that might be found afterwards in the common zone.

Chile renounced the benefits accruing to her from the product of the export dues on mineral found between parallel 23° and 24°, and Bolivia promised not to augment

the existing taxes for twenty-five years on Chillian capital and industry, and to maintain in service as major ports Antofagasta and Mejillones.

Basis of the treaty.

The article is thus worded:

«Article 4. The export duties imposed on minerals exploited in the zone spoken of in the preceding articles, between the parallels 23° and 24° shall not exceed the quota at present collected: and the persons, industries and capital appertaining to Chile shall not be subjected to greater contributions, of whatsoever class, than those at present existing The stipulation contained in this article shall rule for the period of 25 years.»

This was, according to Walker Martínez, the fundamental basis of the Treaty. Explaining it, he says:

«In my judgement, the principal part of our agreement and its base, its essence, is this fourth article, because it gives thet greatest guarantee possible for our Caracoles industry.»

He says further:—«The intention of the Sucre Treaty is this. Article 4. is its base, the rest are more or less subordinate to it».

This article ensured guarantees to the considerable amount of Chilian Capital invested in the Caracoles mineral region and in the salitre concerns of the coast, and did not signify any imposition on the Bolivian revenue, because the riches of the coast line were con centrated in Caracoles and in the «salitreras» where no exportation dues could be imposed. Caracoles was situated in territory of the common exploitation, where the custom house Tariffs could not be altered without the consent of Chile, and the salitreras were ruled by special contracts that conceded them the use of the territories they worked in exchange for an invariable licence fee of 2,000 Bolivianos anually.

Whit the law in hand, Bolivia could not at that

moment draw any pecuniary advantage from her custom houses on the coast, and therefore the new Treaty did not damage her interets, but on the contrary, favoured them, because in future the tax collected on the coast on the export of minerals, belonged to her in its entirety instead of being divided as formerly. In reality, therefore, the article 4. regarded under this aspect was a guarantee obtained on behalf of Chilean industry to the effect that it should be certain that for twenty-five years the arrangement agreed upon in 1874 should remain unmodified in any manner or for any reason.

The principle of arbitration.

Arbitration was stipulated to cover all differences that might arise in connection with the Treaty, and within the zone of the former joint ownership commerce in the natural productions of one or other country was declared to be free of duty. These were the fundamental points. The secondary points were the following:—

The Pissis-Mujia line, prescribed by the Lindsay-Corral agreement was accepted and ratified. It was agreed that the position of any other mineral deposit that might by discovered in doubtful territory should be marked out by experts and a referee in case of disagreement, the Emperor of Brazil being nominated.

The treaty resisted.

The Treaty of 1874 suffered formidable opposition in Bolivia.

Te suggestions of Peru had raised the aspirations of the country to such heights that mere peace would not suffice to satisfy them. The Legislative Assembly received the Treaty with violent hostility. There was a mo-

ment in which the Government found itself impotent to dominate the current of opposition, especially with reference to Article 4. which wounded the financial policy of Peru, and among the opposing bands in Congress attempts were made to make an arrangement on the basis of the deletion of this Article.

Walker-Martínez stated that if the Treaty were not approved, he would withdraw from Bolivia, convinced that his attempts to arrive at concord were useless, and the President of the Republic. Don Tomas Frias, threatened in his turn to resign.

Finally, after a severe struggle, the Treaty was approved. Walker-Martínez describes the final scene in the following words:—

«The sitting of the Assembly to-night recalled one of those famous sessions of the French Revolution: tumults, rushes of the populace, unchained frenzy, bold threats; nothing was lacking.—From my balcony I could hear the dull rumble of the town below and there reached my ears the cries of one band or the other into which opinion was divided—«Down with Chile», «Long live Chile»—«Long live Baptista»—«Down with him—».

In Chile, Congress, approved the Treaty without difficulty.

An equitable treaty.

At first sight it is difficult to understand the burning opposition that the compact met with in Bolivia. It did not damage her interests, offend her dignity or affect her sovereign rights. It settled justly enough a situation which she declared to be as insupportable as the halving arrangement, and if she was obliged for twenty-five years not to alter existing taxes on the coast and could not impose new contributions of

any kind during that period of time upon Chilean industries, this restriction was already in force, so that the Treaty did not create a new situation in this respect, and in exchange it doubled the profit of the maritime custom houses due to Bolivia, since previously the half belonged to Chile. And still to regard the document from a higher stand point, Bolivia could consider that this sacrifice of twenty-five years was compensated by the formation of a great source of riches in a province of her territory, and that, thanks to this guarantee, there might be built up on her coast line an emporium rivalling that of Tarapaca, which would furnish work for her sons and, in future, revenues to her treasury. To prevent this from happening, however, was precisely the object of the secret Treaty already signed, because the financial policy of Peru was thrown out of line if the Tarapaca Nitrate industry should find a similar industry free of export dues established in the South.

Change of attitude of Baptista.

It is one of curious contradictions with which History is sown that Baptista, the honest and eloquent parliamentarian who today defied unpopularity and hostile opinion in order to secure the approbation of the Treaty, was the same man who had signed the secret compact with Peru a few months earlier as Minister of Foreign Affairs of President Ballivian.

It is difficult to explain this contradiction. Did Baptista cede to the influence of a new President like Frias who held views on foreign politics differing from those of his predecessor?

Did Baptista believe in 1873 that Chile really desired to annex the coast line by means of underhand plots like that of Quevedo's expedition, and was undecieved later, persuading himself of the reality of the sincere desire for Peace of the Chilean Plenipotentiary?

Concessions to the Antofagasta Nitrate Company

A bold Chilean Explorer, Don José Santos Ossa, in partnership with Don Francisco Puelma, discovered, in 1866, salitre in the pampas of the Bolivian coast-line, in Salar del Carmen. Both belonged to the bold race of heroes of the desert; to the men who at the cost of personal sacrifice which does not lack the element of grandeur, dragged from those inclement regions the secret of their fabulous riches. Salar del Carmen ist not far from Antofagasta. The town of that name did not then exist. The enterprising prospector marked out to shipping the site of the future Bay of Antofagasta, erecting a signal on the hills visible from the sea and pitched his tent on the lonely sands whereon today Antofagasta is situated.

The first concession.

The discoverers took advantage of the presence in Santiago of the Minister Plenipotentiary of Bolivia, charged with the negotiation of the Teatry of 1866, and in this year obtained from him the first of the concessions inherited later on by the Antofagasta Nitrate Company.

This concession recognissed their property over five leagues of salitre lands and four more for agricultural pur-

poses, in exchange for the obligation to construct a mole in Antofagasta. The Bolivian Government in 1868 ordered legal possession of the ceded land to be given to the concessionaries.

In reality, this cession was not disadvantageous for Bolivia because at that time salitre lands were conceded gratuitously in Tarapacá, whilst on the other hand it was a bold speculation to sink capital in poor deposits which could with difficulty compete with those of the region further north.

The concessionaries probably met with difficulty in raising funds for this reason. The fact that served as a counterpoise to this disadvantage was that in Tarapacá the salitre had to pay an export duty. If freedom from this could be obtained in the Antofagasta enterprise, there would exist a base for the development of a commercial proposition.

The second concession.

Puelma and Ossa transferred their rights to a Society bearing the title of the «Compañía Explotadora del Desierto de Atacama».

This company raised the question in Bolivia of the taking off of exportation dues and the granting of the privilege of working the salitre deposits for fifteen years, all of which the Bolivian Government conceded in exchange for the payment, once for all, of the sum of ten thousand pesos and the construction of a road, from twenty-five to thirty leagues in length, to terminate in Antofagasta.

Furthermore the company was granted a league of territory on each side of the road, which, in an exten-

sion of twenty-five or thirty leagues amounted to fifty or sixty more, permission being given to work in this additional land the inorganic (sic) substances such as salitre. borax, etc. (exception being made of minerals) without paying taxes.

The privilege for fifteen years was extended «to the exploitation, elaboration and free exportation of salitre in the Atacama desert».

The privilege was so great, the concessions made of such vast extent that the Bolivian people with reason protested energetically.

The exclusive privilege.

The first concession, that which bestowed on the discoverers five leagues of salitre land, was just. The liberation of taxes for a given time as a means of interesting capital in a new salitre zone was just also, but the exclusive privilege of closing a province in exchange for the construction of a road that the company itself needed for the transport of its «caliche»—that is to say, in exchange for nothing—offended the liberty of labour and the progress of the nation.

In 1870, new discoverers of salitre presented themselves before the Bolivian Government asking permission to work their deposits, but the concessionaries of 1868 opposed themselves to every new enterprise. Upon this point took shape a contradictory administrative opinion, which the Melgarejo Government solved by declaring the validity of the exclusive privilege of 1868.

Nullity of the acts of Melgarejo.

In 1871, the Bolivian Assemby, meeting in Sucre after the triumph of the

Revolution that overthrew the Melgarejo Government, declared null all sales, allocations and pledges made under the former Government, and among them the territorial concessions. The Government went further still by anulling all the acts of that administration, excluding the judicial cases on wich verdict had been passed or in which an action of nullity would not proceed.

By a decree posterior to 1872 were declared «null and without effect the concessions of salitre lands and of borax deposits which had been made by the former administration».

The «Sociedad Explotadora del Desierto de Atacama» which, as has been said had succeeded Ossa and Puelma, had dissolved itself and was now called «Melbourne, Clark and Co.»

In 1871, this Company had made heavy investments in Antofagasta for the purpose of working its lands, in such manner that when the Assembly and the Government anulled the grants of Melgarejo, it excepted this company, but restricted its privilege.

The restriction of privilege.

The company was restricted to a zone of fifteen leagues in the region now known as Salinas, and an exclusive privilege was bestowed to work and export the salitre of this area, a right to construct a railway, subject to certain impositions customary in this class of licence; and exemption from custom house dues on the construction material and rolling stock of the railway to be built.

With this measure the concession of 1868 was modi-

fied on the following point: the privilege was reduced to fifteen leagues which included the Salar del Carmen zone and part of La Salinas: In exchange the general privilege covering the whole desert of Atacama was anulled.

This was the chief modification.

«Melbourne, Clark and Company» was afterwards called the «Compañia de Salitres y Ferrocarril de Antofagasta.» This company did not agree on the reduction of privilege and raised the question of a more advantageous settlement.

Compromise of 1873

From all quarters complaints rained on the Bolivian Government over the arbitrary measure anulling wholesale the acts of previous governments to the point that the Assembly found itself under the necessity of authorising the Executive to come to an arrangement over these complaints. In virtue of this authorisation, the Government came to an arrangement with the «Compañía de Salitres de Antofagasta», conceding to it, in exchange for its lost general privilege, fifty «estacas» more of salitre land in Salinas, over and above the fifteen leagues that it already held.

The fourth article of this transaction says as follows:

«The Company is conceded for the term of fifteen years, counting from the 1 January of 1874 the right of free working of the salitre deposits existing in the land designated under Arts. 1 and 2; that of exporting from the port of Antofagasta the products of these deposits free of all exportation dues and of any other tax whether municipal or fiscal.»

This transaction was legalised ón the 29th of November of 1873.

I fear lest the details of these concessions granted to

the «Compañía de Salitres de Antofagasta» may be found confusing, for the subject matter itself has that defect, and as this point assumed so much importance in the declaration of the war of 1879. I consider it desirable to recapitulate what has been said.

The successive concessions

1.º The Compañía de Salitres possessed then successive concessions of «Ossa and Puelma»—of the Compañía Explotadora del Desierto de Atacama—and of Melbourne, Clark and Co.

2.º In 1866 the Melgarejo Government conceded it five leagues of salitre land in Salar del Carmen and four leagues for agricultural purposes.

3.º In 1868 it was given the exclusive privilege to work the salitre of the whole desert of Atacama without fulfilling any obligation other than the payment of ten thousand pesos down, once for all, which was complied with.

4.º In 1872, the Goverment restricted this privilege to a zone of 15 square leagues in Salar del Carmen and Salinas.

5.º The Company having protested against this reso lution, the point was compromised in November 1873, conceding as indemnification for their rights fifty Bolivian «estacas» of salitre land in Salinas over and above the fifteen leagues recognised in the previous resolution.

6.º The Article 4 of this compromise disposed that the Company should remain from 1874 to 1889 free from all taxation, fiscal or municipal.

Over and above all this, the Treaty of 1874 was cele-

brated after the legalising of this transaction and disposed, as is already known: that «the persons, industries and capital of Chilean origin should not be subjected to greater taxes, of whatsoever class than those at present existing».

As a consequence, the business of the Compañía de Salitres was supported by the contract of the compromise of 1873 and by the Treaty of 1874, which declared that no new tax should be imposed for a period of twenty-five years.

The law authorising the Government to compromise the claims pending through the anullment of the acts of the Melgarejo administration disposed that the Executive should give an account to the Congress of the compromises effected by it. It did so, but the legislature in 74 did not busy itself with this, perhaps because it was considered useless to do so, since, if it modified the transaction with respect to taxation, the Treaty of 1874 supported it still more strongly.

This was the legal status of the Company.

So far I have recapitulated the diplomatic relations of Chile and Bolivia, in so far as they are indispensable for the understanding of the conflict of 1878.

But there is another point to be considered, graver than these antecedents. This was the development of Chilean population and of Chilean wealth on the coast line and the obligation of Bolivia to guarantee one and the other.

It is calculated that from 93 to 95 % of the population of the coast was Chilean.

The Chilean population of the coast

The small Bolivian co-efficient was made up of public employees, the police and the garrison. The capital invested in the ports, in the mining enterprises and in the «salitreras» was entirely Chilean. The Caracoles mining centre, which attained its greatest development between 72 and 75 awakened in Chile a movement of speculation and innumerable societies were formed in Valparaiso and Santiago for many millions of pesos, in which no small part of the national fortune was invested, and which determined a strong current of immigration to this mining centre.

The «Compañía de Salitres de Antofagasta» had initiated the explotation of the industry on a grand scale. It is calculated that before 1879 a million pounds sterling had been invested in it. In the Southern region, in that which is known by the name of Aguas Blancas, there now existed a plant for nitrate refining, and around that, as in those of the company before referred to, swarmed a population entirely Chilean.

The Antofagasta Company had put up a great plant, buildings and moles in the port and had in construction a railway reaching to Salinas

Chilean capital on the coast

The heavy capital invested required guarantees, the population required judges, police, administrative authorities worthy of confidence, and Bolivia could not furnish them because she lacked them herself.

It would be unjust to blame Bolivia for the deficiencies of the public services on the coast, since she was the sport of adventurers who made a jest of her rights,

insulted her laws and honour. But none the less it must not be overlooked that this state of affairs created a permanent conflict between the Chileans and the Bolivian authorities. The Chileans, masters of all, remembered that the territory had once been Chilean, and had been ceded in exchange for conditions that had not been complied with, and protested that the nation had left to their fate her boldest sons.

An undermining work was started, by means of secret societies, similar to that of the political Carbonari who flourished in the period of the Independence, and which had for object the gaining of Governmental aid in emancipating this region from Bolivia, but Presidents Errazuriz and Pinto rejected the suggestion as an attempt against peace and the Treaties in force.

Great prudence was required on the part of Bolivia to avoid a conflict. The dexterous hand of a politician of unusual skill was needed to prevent an out-break, and Bolivia had none.

There was another fundamental fact in the relations of Bolivia and Chile: the Secret Treaty celebrated with Peru in 1873. I propose to deal with this matter with the detail which it requires in the next chapter.

General Survey of relations between Perú and Chile

Liberation of Perú. The history of Chile is closely interwoven with that of Peru from the beginning of the XIX century. There has been no notable event in the life of

Peru as an independent nation in which Chile has not had something to do.

Its emancipation is in great measure the work of Chile and would have been so entirely were it not for political and strategic mistakes of the general commanding her forces. That expedition cost us the painfullest efforts. Chile had to improvise a fleet, without either ships or money, sailors or naval officers, yet none the less the expedition was organised and an army sent to Peru that should have been sufficient to destroy the Spanish power.

This effort, which is known under the name of the Liberating Expedition, almost exhausted Chile and as it did not have the expected result, a second military contingent was dispatched in 1823, also at incredible sacrifices, to aid Peru or rather the better informed portion of the people, to make themselves independent.

Chile protects the Peruvian Sovereingty against Bolivian imperialism

Some years later, Bolivia, ruled by General Santa Cruz, conquered Perú, penetrating into the country with blood and fire,—shooting on the scaffold, ignominiously erected after the triunph, the President of the conquered country and its leading chiefs. Afterwards the administration was organised by Santa Cruz under a political system called the Peru-Bolivian Confederation, the essence of which was to join in his hands the armies and revenues of both countries.

Chile did not consider the formation of this great state at her very doors, compatible with her security, since it had at its head a popular leader profoundly

ambitious, a good organiser, with vast plans of American preponderance. Chile therefore sent to Peru an army commanded by Blanco Encalada, which failed, and afterwards another in charge of General Bulnes, to smash up the political combination of Santa Cruz. Bulnes traversed Peru as a conqueror and went to seek and defeat the enemy in the depths of his most distant mountains, passing and repassing the Andine Cordillera through almost inaccesible regions destitute of wood and forage.

This campaign, made on behalf of Peru, which did not cost her an inch of soil, nor even a war indemnity, none the less profoundly wounded her self love and left in her heart a residue of rivalry which later influenced her policy.

Chile defends Perú against Spanish attack

Later there occurred a great event that—so it was said,—put the Peruvian nationality in peril, and for the fourth or fifth time Chile sallied out in her defence. Acting with an altruism that does honour to her heart if not to her head, she provoked war with a powerful Spanish squadron which had taken possession of the Chincha Islands, though lacking ships, money and fortifications.

The result: Chile paid the broken windows, emptied her coffers, contracted a loan and watched with folded arms her chief port knocked to pieces with cannon shot.

Peru, on the other hand enjoyed a semi-triumph, the defence of Callao against the squadron commanded by

Admiral Mendez-Nuñez, a feat that raised her military prestige and her desires of predominance.

Peru assumes naval supremacy

At that time Peru had money, and guided by intelligent foresight, bought the ships that figure in the War of the Pacific, with the exception of the «Union» and the «Pilcomayo», acquired later. With this fleet Peru took position as the foremost naval power of the West Pacific coast.

This superiority impressed itself upon her politics, giving them an arrogant turn that was evidenced in her relations with Chile, and inspiring the economic projects of Pardo, founded on the acquisition of the whole of the salitre, wich found expression in the Secret Treaty of 1873.

Chile orders ironclads

Chile took note of what was happening and seeing that Peru was ready to unsheath the sword on the slightest pretext, proposed to equalise the naval situation by ordering from Europe two ironclads superior to those of Peru and Argentina, since at that time she fel pressure from both countries.

These ships arrived at Valparaiso.—the first in 1875, and after that our relations with Peru became more normal.

During this time the cause which produced most of the frequent complaints of Chile against Peru, was, the bad treatment given by the authorities of that country to our countrymen employed on the salitre pampas of Tarapaca, on the Oroya Railway, on that from Mollendo to Puno and on the line from Ilo to Moquegua.

The Chileans in Peru

The Chilean «peón», adventurous and heroic, had spread over the Peruvian coast in search of the work for which the emigration agents offered gold in payment, not taking into account the endemic sicknesses and the lack of food stuffs, and finding themselves at the end of a short time poorer that when in their own country.

The Chillean labourer was the handyman of the public works in Peru. He put up the Salitre plants, worked the Pampas, embarked salitre in the ports and constructed the Peruvian railways that challenge the most gigantic feats of contemporary engineering. Hundreds, if not thousands, of them, filled the hospitals and peopled the cemeteries.

There was a period in Peru, that of the Guano, which partakes somewhat of the fantastic character of the «Thousand and One Nights». Millions derived from guano flowed through the Peruvian marts making suddenly colossal fortunes. The locomotive penetrated the Andine solitudes at two points at once and overcame altitudes that probably even today have not been surpassed.

When the hour sounded for settling the accounts, the affairs were paralysed and the Chilean workmen flocked into the towns, sick and hungry.

Hostility against the Chileans.

In Peru there existed a prejudice against the Chileans who worked and died to assist her development and it was necessary to act whith energy lest they should be made the victims of still greater outrages. The Chilean Minister of Fo-

reign Affairs, Alfonso, rendering account of the facts to Congress, said that «they revealed systematic hostility against our nationality».

As on the Bolivian coast-line so in part of the coast of Peru, especially in the Province of Tarapaca, the great majority of the population was Chilean, and this fact gave to the war of 1879 a popular character on both points.

For the reasons above specified the war was a settling of accounts between the Chilean workman and the country that had illtreated him. The workman of the «salitreras» and the Peruvian railways, was also the soldier of the first regiments organized in Antofagasta.

But these reminiscences do not sufficiently explain the happenings of 1879. That Peru should regard Chile with envy and even whith rancour did not furnish a sufficient reason for her to procure the alliance of Argentina and Bolivia against her, now that nations follow rather their interests than their passions. We must seek elsewhere the explanation of the attitude of Peru, and the reason will be found in her economic policy.

The Pardo Administration and the Nitrate Question

In 1872 don Manuel Pardo was elected President of Peru. The country was bankrupt. The public revenues barely sufficed to meet half the budget. Guano, the chief asset of the State was declining. The rich manure of the Chincha Islands whith high percentage of nitrogen

was almost worked out. The Government had authorisation to sell up to 650 thousand tons a year of the precious fertiliser, but could only find purchasers for very much less. Pardo considered it necessary to reveal the whole truth, and did so on a memorable public occasion. A foreign writer who then lived in Lima, said that in face of the declaration made by Pardo, the country stood perplexed—«between incredulity and astonishment».

One of the causes of this situation was the competition offered to guano by salitre. Each interfered whith the other's market. It was indispensable that this great difficulty should be solved.

Guano and salitre

The legal status of the two manures was different. Guano was state property and salitre was worked on private account. The Government might regulate the exportation of guano, but the salitre producers of Tarapaca produced as much as they could without troubling themselves about the rival manure, still less about the treasury that lived on it.

One means of correcting the situation would have been to shut down the guano workings and trust the revenue to the salitre deposits, but this was no real solution, because the whole value of the Guano went into the national coffers whilst salitre only paid an export duty. Even if this tax had been increased, the product would not have amounted to the sum necessary to fill the deficit left in the budget by the value of four hundred thousand tons of guano sold at fifteen pounds sterling per ton. It is true that had the «guaneras» been

closed the salitre output would have been greater and the new fertilizer would, little by little, have taken the place place left vacant by the other.

But the solution along these lines was long and the difficulties very serious. An active cure was sought, not a course of treatment for the invalid.

The reverse operation, to shut down the salitreras and return to guano its former splendour was impossible. Great private interests had been created that would have demanded compensations which the treasure of Perú would not have been able to support.

Joint monopoly of guano and salitre

Pardo chose the course of joining in one hand guano and salitre, or extending to salitre the rule that governed the guano. This rule consisted in the Fiscal Monopoly. The State placed it on the market and sold it for its own account. One head only dealt with the business. This was what Pardo wanted to do with both fertilizers.

The projected fiscal monopoly presented one grave disadvantage. The nitrate market was established in Chile. Many workings belonged to Valparaiso companies. The Chileans had been the first industrials in Tarapaca. Foreign houses had advanced funds and had the placing of the article and the upkeep of the works.

To take in hand the whole business dealings of the fertilizers, the Peruvian Congress dictated the Estanco Law of 1873, which limited the salitre production to four and a half million Spanish quintals and authorized the Government to purchase the whole of this production at a fixed price—($ 2.40 of 44d. the quintal) at the ship's

side, and to sell it again with a difference of aproximately two shillings and sixpence. But the production figures exceeded those of the consumption. The price of salitre went down and instead of two shillings and sixpence the the Peruvian treasury received about sixpence a quintal.

Expropriation of Nitrate by Perú

In consequence of this failure the law was dictated, in 1875, conferring power on the Government to contract a loan of seven million pounds sterling, with the object of buying the salitre establishments, paying for them with certificates or bonds at two years. The Government would contract for the ni trate manufacture with the industrials, paying them a fixed price per quintal and selling on its own account.

Whilst the negotiation of the loan was in progress, the business was made over to the Lima Banks, which made heavy advances of funds in order to complete the outfit of machinery, mules, forrage, «pulperías», etc., reserving themselves five per cent on the profits. This combination rested on the loan, which was not effected, but the Government got so far as the taking over of the «Oficinas» and the emission of the bonds.

The Peruvian Banks and the salitre

I do not propose to analyse these measures in their economic aspect, beyond calling attention to the link that they estabished between the Government and the public through the Banks, putting these in the position of being either participators in the profits of the fiscal policy or victims of its ruin. In this manner the governing class made this policy its own, and so the salitre problem came to be a national question for the State and for private individuals also.

At the time of this negotiation nitratre was discovered in Tocopilla, in undoubtedly Bolivian territory, to the North of parallel 23°. Since the combination would fail unless Peru had the whole of the Nitrate production, Pardo came to an undeastanding with Bolivia and managed to get these lands rented to an agent of his in exchange for a monthly rental and with no obligation to work them. This agent transferred his contract to the Peruvian government.

Salitre in Antofagasta

The Tocopilla peril being averted, it appeared again in Antofagasta.

Although the «Caliches» (Crude nitrate-bearing mineral deposits) of Antofagasta are of lower percentage in value than those of Tarapaca, they had in their favour their exemption from export dues conceded by the Treaty of 1866 and the contracts with the Bolivian Government. No »Estanco» was possible whilst the salitre producers of Antofagasta could sell their product freely in the market.

Salitre in Taltal

To the Antofagasta peril, that of Taltal was added in 1878. The Chilian Salitre producers of Tarapaca, dispossessed of their properties by Pardo, sought for and found others in the Taltal «pampa», stimulated thereto by the Pinto Government which gave them whatever they could discover in the hope of returning to Valparaiso the commercial activity destroyed by the Peruvian monopoly.

In consequence of all this, the combination, by which Peru strove to take in hand the whole of the Salitre in

order to control its price was an ilusion destined to drag down to disaster both the private and the public fortune.

Bolivia asks the alliance of Peru

Origin of the secret Treaty.

Let us return to the period of the differences between Chile an Bolivia occasioned by the «halving» rule and Quevedo expedition. As already stated the latter occasioned great excitement in Peru and Bolivia against Chile, a current of opinion which passed from the Lima press to the Government or *vice versa*, and resulted in the naval demonstration of Mejillones.

At that time the Bolivian Deputy Don José Mier y Leon, in October, 1872, interpellated the Minister of Foreign Affairs with regard to the relations of the country with Chile.

The debate was unfolded in secret sessions and the Assembly authorised by a law the solicitation by the Executive of an alliance with Peru, and the ratification of the Treaty to be celebrated without the necessity of submitting it to legislative approbation. This was the origin of the Secret Treaty between Peru and Bolivia in February 1873.

Lindsay was still in La Paz. Although he never knew clearly what was being discussed in the Congress behind closed doors, rumours reached him to the effect that something was being concocted against Chile, and he questioned the Minister of Foreing Affairs on the sub-

ject, who made answer that what he had heard was mere talk, devoid of all foundation.

The resolution of the Assembly was communicated to Don Juan de la Cruz Benavente, Minister Plenipotentiary of Bolivia in Lima. Everything supported the idea that the attitude of Bolivia resulted from the suggestions of Peru to pact an alliance and to put into the hands of the Government the salitre, without whitch the vast economic plan based on the Estanco could not be realised.

Perú offers aid to Bolivia.

Pardo received Benavente's proposal favourably. On the 10th of November, 1872, the Council of Ministers met in Lima, the President being present, and came to the resolution of answering the Plenipotentiary «that the Peruvian Govern» ment would lend its aid to Bolivia to resist the de» mands *of Chile*, which it considered to be unjust and » to constitute an attack on the independence of Bo« livia.»

The Peruvian Cabinet undertook to explain the meaning of this declaration in a private communication written the following day to its Minister Plenipotentiary in Santiago, Don Ignacio Novoa, the essential part of which I will give further on. Before doing so, however, I think it desirable to explain in broad outline the object of the Secret Treaty.

Aims of the secret Treaty.

Peru, starting from the supposition that Chile was intending to annex the Bolivian coast-line, sprang into the arena in the character of a knight armed in that country's defence. Such sup

position was necessary, since without it pretext was lacking to interpose between Chile and the Governament of La Paz, offering to the latter the guarantee of her sword.

Since Chile, according to Peru, had this aspiration, it was convenient for Bolivia to take advantage of Chile's lack of maritime forces and of the fact that Peru was in condition to impede the mobilisation of troops in defence of the disputed territory. Moreover, she would have to move quickly because Chile was having two ironclads constructed in England.

Such was the idea. The means of carrying it out the following.

Bolivia was to declare that she would not respect the treaty of 1866, then in force, and should occupy the territory over which she claimed to have rights, that is to say, the salitre zone. Chile, naturally, would not accept the outrage and would declare war. It was necessary that the initiative of the break should come from Chile. After resquesting England to embargo the Chilian ships in construction in the name of neutrality, Peru and Argentina would come into action with their fleets. I mention Argentina because the co-operation of that country formed part of Pardo's plan.

The arbitration mask.

The fig-leaf covering of this policy was the word «*arbitration.*» The allied squadrons would oblige Chile to submit to arbitration whatever suited them, and when that had been effected it would leave them with the domination of the Pacific and with the territory in dispute occupied by Bolivia.

No one can form opinions on matters that have not happened, but none the less it is not too much to believe that if Pardo had effected his object he would have talked no more of *arbitration*. Is it possible to believe that he, the strong one, holding in his hand the salitre region, his supreme aspiration, would voluntarily deliver it up to the chances of an adverse verdict?.

Once mistress of the Pacific, would Argentina carry before a tribunal her pretensions to Patagonia when at that very moment the great difficulty lay in her tenacious refusal to include Patagonia in the arbitration?.

Dangers for Chile.

Such, roughly expressed, was the sense of the Secret Treaty. Never was Chile in greater peril, nor has a more favourable moment been elected for reducing her to the mere leavings that interested none of the conspirators. The advantage to each of them was clear enough. Bolivia would expand three degrées on the coast; Argentina would take possession of all our eastern terrisories to whatever point she liked; Peru would make Bolivia pay her with the salitre region.

The synthesis of the Secret Treaty was this: opportunity: the disarmed condition of Chile; the pretext to produce conflict: Bolivia: the profit of the business: Patagonia and the salitre.

I am going now to prove these statements from unpublished and private documents from the Foreing y Office of Lima.

On accepting the request of Bolivia for an alliance, the Peruvian Cabinet communicated officially with its Minister in Santiago, explaining clearly its object.

Riva-Agüero Explains The Treaty

The comunication related in detail the divergences caused by the application of the Treaty of 1866 and the resistance which the «halving rule» to which the coast districk was submitted met with in Bolivia. The pretensions of Chile to share control in the fixation of taxes in this zone were recalled. Basing the idea on these antecedents, the proposition of Chile to take possession of the coast line was taken for granted.

The Treaty menaces Chile.

«Althougthe interests of Chile», it said, «apparently counsel the maintenance of peace in order that her increasing commerce may continue developing, the facts, unfortunately inspire doubts with respect to the views of her Covernment and make it feared that the plans may be realised wat for some time past have been attributed to her of taking possession of the Bolivia coast-line, provoking the Bolivian Government by her demands, to break off relations, which would afford the opportunity to occupy Mejillones and Antofagasta.

«If these presumptions are realised, Peru could not remain an indifferent spectator, and would see herself obliged to support Bolivia in safeguard of common interests, since she could not permit that Chile breaking the American equilibrium, should make herself mistress of a coast-line that does not belong to her. Peru would at once offer to mediate, and in case that the mediation was not accepted by Chile and that country continued in her purpose of occupying the coast-line, the necessary and inevitable consequence would be on our part an alliance with Bolivia.

«It is desirable that once for all, and as soon as possible, the relations between the two Republics should be defined, because it is necessary to arrive at an arrangement satisfactory to both parties. If Chile dealing with this boundary question seizes the most favourable opportunity to take possession of that coast-line, it is necessary that their plans devélop before Chile is in possession of the ironclads under construction, in order that in the de-

finite settlement of this question, the influence, which we are in a position to exert by means of our maritime preponderance may have due weight». (Private note of Riva-Agüero to Novoa, Nov. 20, 1872. *Godoy papers*).

The agreement of the Governments to the secret Treaty of alliance being now obtained, it was only necessary to give it form and the Plenipotentiaries nominated *ad hoc* by Bolivia and Peru signed without difficult on the 6th February 1873, the pact that gave origin to the War of the Pacific. When this document saw the light in 1879, well authorised opinion raised doubts as to whether or not the text published was a faithful copy of the original, because the name of Chile did not appear in it, but decisive proofs are forthcoming that Chile alone was in view. One of these is the Act issued in Lima on the 19th of November by Pardo and his Cabinet; the note just copied and many other declarations of the Peruvian Government which will appear in the course of the present narrative. The Treaty published in 1879 is the same that the Governments stipulated in 1873 (1).

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(1) The Act of the Government of Peru was published by Paz Soldan in his *Narrative of the War of Chile against Peru and Bolivia*, page 22, note, and reproduced by Ahumada Moreno in the «*War of the Pacific*» volume I. Appendix, page 545.

The information to which I refer is a note of the Minister Don Joaquin Godoy which says as follows:—

«I have motives for doubting the fidelity of the copy given to » the press since I have been told that in the preface of the » Treaty and in some of its articles the alliance against Chile, is » expressely stipulated in case of war between either of the

Provisions of the secret treaty

The Text of the Secret Treaty is as follows:— «The Republics of Bolivia and Peru, desirous of drawing together in a solemn manner the bonds which unite them, thus augmenting their strength and mutually guaranteeing certain rights, formulate the present treaty of Defensive Alliance; for which object the President of Bolivia has conferred power adequate for such a negotiation to Juan de la Cruz Benavente, Envoy Extraordinary and Minister Plonipotenciary in Peru, and the President of Peru has conferred like powers to Jose de la Riva-Agüero; who have agreed on the following stipulations:--

Article I. The High Contracting Parties unite and league together mutually to guarantee their independence, their sovereignty and the integrity of their territories respectively, obliging themselves by the terms of the present treaty to defend themselves against all foreigna ggression, whether emanating from one or several independent states or from a force without flag and obeying no recognised power.

Article II. The Alliance will be made effective to preserve the rights expressed in the preceding article and especially in the cases of offense which follow:

1.º In acts directed to deprive either of the high contracting parties of a portion of its territory with the aim of appropriating its dominion or of ceding it to another power.

2.º In acts directed to submit either of the high contracting parties to protectorate, sale or cession of territory, or establishing over it any supremacy right or preeminence which diminishes or

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» contracting parties and our country over question of boundaries » of other interests, a circumstance that does not appear in the » reproduction. Reason and verisimlitude is given to the doubt » by the fact that that Government has obstinately refused to » permit me to take knowledge, even confidentially of the origi- » nal document. Further corroboration of this presumption is » what His Excellency General Prado told me with regard » to this in the interview which I had with him and of which I » gave an account to you.»

offends the ample and complete exercis eof its sovereignity and independence.

3.º In acts directed to annul or vary the form of government, the political Constitution or the laws which the high contracting parties have given or shall give themselves i n exercise of their respective sovereignties.

Article III. Both contracting parties, recognising that every legitimate act of alliance, is based on justice, establish for each one of them, respectively, the right to decide whether the offense received by the other is comprehended in the definition of the foregoing article.

Article IV. A «casus federis» having been declared, the high contracting parties promise inmediately to server their relations with the offending state, to hand passports to her Diplomatic Ministers, to cancel the patents of the Consular Agents, to prohibit the importation of her natural or industrial products and to close their ports to her ships.

Article V. The same parties will likewise name Plenipotentiaries to adjust, by protocol, the precise arrangements determining the subsidies, the contingents of land and sea forces, or assistance of whatever class which should accrue to the attacked or offended Republic: to the manner in which these forces shall operate and the aid to be lent and all measures which tend to the succes of the defence.

The meeting of the Plenipotentiaries will be effected in a place decided upon by the offended party.

Article VI. The high contracting parties bind themselves to give to the offended or attacked party the means of defence which each one of them considers disposable, in any case considered urgent, even though the arrangements prescribed in the preceding article have not been already effected.

Article VII. The «casus federis» having been declared, the party offended shall not celebrate any peace agreement, truce or armistice without the concurrence of the ally which has, in such instance, taken part in the war.

Article VIII. The high contracting parties further bind themselves.

1.º To employ, preferably, whenever possible, all means of conciliation to avoid a rupture or to terminate the war, even if the rupture has taken place, considering between these means, as most effective, the arbitration of a third power.

2.º To neither concede to, nor accept from, any nation or government, protectorate or supremacy which diminishes their independence or sovereingty, nor to cede nor lease in favour of any nation or government any part of their territory save in the cases of better definition of boundaries.

3.º Not to conclude boundary treaties or other territorial agreements without previous knowledge of the other contracting party.

Article IX. The stipulations of the precent teatry do not extend to acts commited by political parties or resulting from internal commotions independent of the intervention of foreign governments, since the present teatry of alliance, having for its principal object the reciprocal guarantee of the sovereign rights of both nations, none of its clauses should be interpreted in opposition to its primary intention.

Article X. The high contracting parties shall solicit together or separately, when they so declare by a latter protocol, the adhesion of another or other American States to the present teatry of defensive Alliance.

Article XI. The present teatry will be exchanged in Lima or in La Paz, as soon as it is rendered constitutionally affective and will be in full effectiveness twenty days after the exchange. Its duration will be indefinite, each of the parties reserving the right of terminating it when considered desirable. In such case the party will notify its resolution to the other party and the treaty will be annulled in four months counting from the date of notification.

In faith of which the respective Plenipotentciaries sign it in duplicate and seal it with their private seals.

—Effected in Lima, the sixth day of Frebruary of one thousand eight hundred and seventy three.

JUAN DE LA CRUZ BENAVENTE.—J. DE LA RIVA-AGÜERO.

Additional Article. The present treaty of Defensive Alliance between Bolivia and Peru shall be secret nutil the two high contracting parties by common accord consider its publication unnecessary.

JUAN DE LA CRUZ BENAVENTE.—J. DE LA RIVA-AGÜERO.

Principal stipulations of the secret Treaty

This Treaty contains six principal articles, viz:

1.º *Object of the Alliance.* To guarantee the integrity of territory, or, what comes to the same thing, guarantee the Bolivian coast-line against Chile.

2.º *Causes of offence:*

a) The attempt to subject one of the contracting parties «to any supremacy, right or predominance, which « tends to lessen the full and complete exercise of its « sovereignty». Read here—the demand of Chile to legislate, conjointly with Bolivia in the «halvéd» territory.

b) The attempt to obligue one of the parties to vary the laws which it emits in the exercise of its sovereignty. That is to say, to obligue Bolivia to modify the laws affecting taxation dictated on the products of the common zone, without the knowledge of Chile.

Perú the protector of Bolivia in all difficulties with Chile

3.º *Military Assistance.* Peru left the door open to take part in the contest if she desired to do so, a very important clause as it affects the responsabilities of the War of the

Pacific, since Peru could remain neutral without failing in her Treaty obligations.

The article says that each party reserves to itself the right of *deciding* whether the offence received by the other «is comprehended among those designated in the preceding article».

The remaining clauses of the same article dispose that, the *casus foederis* being established, a protocol shall enumerate the subsidies, military and naval elements, order of superior command, etc.

4.° Restriction of the right of celebrating Treaties affecting *Boundaries*, «or other territorial arrangements», without previous knowledge of the ally. *Boundary Treaties* could only be celebrated between Bolivia and Chile, because they were the only countries bordering on one another. Consequently, this clause had for its object to introduce Peru into any convention or Treaty of this class that might be agreed upon.

5. To seek the adhesion to the Treaty of another or other American nations.

The nation contemplated in this clause is Argentina.

6.° The Treaty should remaind secret.

This document left Bolivia in the power of Peru, and Peru face to face with Chile. Bolivia's hands were tied, because, even though she desired to and found it convenient to do so, she could not fix her boundaries with Chile, nor celebrate any new Treaty, nor establish territorial compensations without the agreement of Peru. If the difficulties resulted in war, Peru had liberty to abandon her.

But it happened with this Treaty, as often falls out in business of too speculative a character, that the moment of hurry having passed, there was no way of eluding the obligations incurred in the hour of inmediate pressure. Bolivia did not submit to the state of servitude to which she was condemned, and celebrated, as a sovereign nation, new agreements with Chile in 1874. A very important point was the adhesion of Argentine to the triple alliance against Chile; the union of the fleets in order to impose upon her, firstly inaction and subsequently, mutilation.

In vain one asks, what national interests had Peru in seeking the part of belligerent between Chile and Bolivia.

The possession of the region between parallel 23° and 24°—did this affect her sovereignty? She would not change neighbours, for in any case an intermediate Bolivian zone would remain between her frontiers and those of Chile, including the ports of Tocopilla and Cobija. What could induce her to go knocking at the diplomatic doors of La Plata to bring this nation into the Pacific, to her own waters, making her the co-partner of her discords, which were matters of absolute indifference to Argentina? The reason of the Treaty was to get possession of the Salitre zone.

The root of this policy is found in that orgie of confidence called the American Union of 1866, which gave Peru naval predominance and the lustre of triumph at Callao; exalted with this situation, Pardo believed in his ability to bring off the vast salitre combination, for

which it was necessary to subordinate Bolivia to Peru, and despoil Chile of her northern territories, taking ad vantage of the moment when she had no ships.

The attitude of Peru between Chile and Bolivia

For the better understanding of the Treaty it is necessary to return to the Negotiation set on foot in 1872 betwen the Chargé d'Affairs of Chile, Don Santiago Lindsay, and the Bolivian Minister of Foreign Affairs, Don Casimiro Corral, which I dealt with in a former chapter. I said then that, after various attempts at an arrangement, the negotiators arrived at an agreement in a Convention that solved the main difficulties that had arisen in former years, and which, whilst leaving in force the Treaty of 1866, prescribed rules for its application in a conciliatory form that, however, did not destroy the root of the mischief, because the «halving rule» remained in action; none the less it created a *modus-vivendi* tolerable enough as a transition stage until new efforts on one or the ether side should manage to substitute the 1866 Treaty by another. I added that these ideas were formulated in a diplomatic instrument known under the name of the Lindsay-Corral treaty, signed in December, 1872, and approved by Chile in January, 1873.

Opposition of Peru to the Lindsay-Corral Convention

This pact alarmed Peru. If Bolivia arranged affairs with Chile, what pretext would Peru have for requi

ring compliance with the agreement already celebrated in Lima, in the middle of November, between Pardo and Benavente, wich is the origin of the Secret Treaty?

I cannot say whether it was at the initiative of Bolivia, or Peruvian influence alone that suggested the constitutional fomality urged by the Government of La Paz as a pretext for not ratifying administratively what she had agreed to, in spite of the fact that Chile had already done so; but it is a fact that Peru made it her interest tohinder the carrying out of the agreement. With this proposition in view, Don Anibal Victor La Torre was accredited as Diplomatic Agent in La Paz.

The mission of this envoy had a double purpose, to obtain from the Bolivian Congress the ratification of the secret Treaty, and to use influence in disapprobation of the Lindsay-Corral convention, offering to Bolivia the Argentine-Peruvian alliance.

The instructions given to La Torre, said:—

"We further confide to you, approved by Congress and ratified
" by His Exellency, the President of the Republic, the Treaty of
" Defensive Alliance which was made with Señor Benavente on
" the 6th of February of the present year, and which is based
" not on the desire to draw closer the ties binding us to Bolivia,
" but *also to add moral force to that Republic, to the end that with*
" *calm and safety she may sustain her rights.*"

Peru tries to render more serious the difficulties of Chile and Bolivia.

With regard to the Argentine Alliance the instructions add.

"It does not appear to be a matter of difficulty to secure this
" adhesion, taking into account the fact that the Government of
" Chile has also raised difficulties with the Confederation regard-
" ing their respective boundaries in Patagonia. For this reason,

" if an agreement is come to between the Argentine Confedera-
" tion, Bolivia and Peru, any war with Chile would be almost
" impossible; or rather, the present question of boundaries would
" be arranged *in a pacific aud equitable manner for all the parties*
" *interested.*"

Respecting the Lindsay-Corral Conventions it adds:—

"Surprise has been occasioned by the publication in the Chi-
" lean newspapers under the unusual form of an international
" agreement, which even if it has been accepted by that Repu-
" blic is very doubtful if it will also be accepted on the part of
" Bolivia. Such, at least, is to be expected, since the said conven-
" tion having to be submitted previously to the approbation of
" the Bolivian Assembly, according to the statement made by
" Señor Terraza in his communication to the Govvernment of
" Santiago, it is difficult to believe that power is about to author-
" ize and sanction a pact contrary to the sovereignty and national
" dignity, in which are confirmed and consecrated, so to speak,
" the cessions extorted from Bolivia in the original Treaty."

The instructions conclude with the following mysterious phrases:—

"Such is, roughly outlined, the present state of relations bet-
" ween Bolivia and Chile. As will not be unknown to you, cir-
" cumnstances may *soon present themselves of which it is necessary*
" *to take advantage.* (1).

In order to hasten the adhesion of the Republic of Argentine to the compact of alliance, La Torre was ordered to solicit the Government of La Paz to autho-

(1) Instrutions of a private character for La Torre, May 3 1873, signed by Riva-Agüero. This note and all other private documents of this chapter come from the "Godoy Papers".

rize the Peruvian Minister in Buenos Aires to represent Bolivia before the Government of La Plata in all matters relating to this compact. These instructions of so definite a scope are diluted with a phraseology calculated to give the impression that the Government dictating them had no other object beyond the conservation of peace and of obtaining an equitative arrangement by means of arbitration.

La Torre obtained complete success in his mission. The Secret Treaty was ratified by the Bolivian Assembly on the 2nd June, 1873, and on the 16th of the same month it was secretly promulgated.

The Bolivian Minister of Foreign Affairs, Don Mariano Baptista, authorised by a note from the Chancellery, the Minister of Peru in Buenos Aires, Don Manuel Irigoyen, to solicit in his name the Argentine alliance.

The Lindsay-Corral Convention, already approved administratively in Chile, was postponed or rejected by the Bolivian Congress.

Success of La Torre

In the latter part of June, La Torre sent to Lima the military attaché of the Legation, Sergeant-Major Don Juan I. Lizarraga, carrying with him the original of the secret Treaty, ratified. Riva-Agüero answered him as follows —

"By means of these documents (referring to the communications of which Lizarraga was the bearer) the Government observes with extreme satisfaction the success, as rapid as it is fortunate, that you have obtained in the most important part of your diplomatic mission to this Government, and on this same date and by the same steamer that carries the present communication, it has informed Doctor Don Manuel Irigoyen (Minister of Peru in

Buenos Aires) of the good news, including a copy of the two above mentioned communications exchanged between yourself and the Minister of Foreign Affairs of Bolivia, in order that he may proceed to solicit in the name of that Republic, equally with Peru, the adhesion that we are seeking. In terminating this official communication I have pleasure in congratulating you on the tact and skill wtih which you have carried through this important negotiation in so short a time, a matter tending to the most important results as affecting the peace and prosperity of both Republics." (1).

It will be remembered that in referring to the part taken by the Congress or Bolivian Assembly in initiating the Secret Treaty, I said that it authorized the Executive to form an alliance in Lima, and ratify it without the necessity of further legislative consultation. Apparently this statement contradicts the part of the instructions of La Torre, in which it is ordered that the Secret Treaty should be submitted to the ratification of the Bolivian Assembly, but this had no other object than to raise the *prestige* of the Treaty in the eyes of Argentine, and, to anticipate any objection that might in this sense be made to it. (2)

As Peru had foreseen, the rejection of the Lindsay-Corral Convention provoked strained relations between Bolivia and Chile.

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(1) Private note, 1 st July 1873. signed José de la Riva-Agüero.

(2) These instructions say: «Although as you will see by the secret law whose copy I enclose, the Executive of Bolivia is authorized to ratify this pact without need of submitting it to the approval of the Assembly, it is of importance to obtain such approbation, which is to be obtained under reserve, manifesting at

President Pardo seeks war in 1873

In narrating the relations of Chile and Bolivia I had occasion to say that Lindsay returned to Santiago immediately after celebrating the Convention that bears his name whilst Chile confident that Bolivia would proceed to its ratification as Chile had done, nominated Don Carlos Walker Martínez Diplomatic Agent in La Paz, who was able to inspire confidence to Baptista and open the negotations that had as their result the Treaty of 1874.

Perú urges Bolivia to break with Chile

Contemplating this unexpected turn in the relations of Santiago and La Paz. the Chancellery of Lima took action to find some means of provoking the rupture and preventing the Chilean ships from leaving European waters, qualifying the conciliatory attitude of Walker Martínez as a blind and advising to Bolivia break the existing Treaties.

Riva · Agüero wrote to La Torre as follows:—

August 6.—So, then, what Bolivia, ought to do is to waste no more time in time-killing discussions that conduce to nothing save to permit the arming of Chile. If the Government of Bo livia understands its own interests, if it does not want to lose part or the whole of its coast-line, it sbould utter its *last word* as

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the same time the nessecity of keeping it secret in accordance with the interest of both countries.

«As in the treaty is provided that the adhesion of other countries is to be obtained, doctor don Manuel Irigoyen will start very soon go to the Argentine Republic, where he has been appointed Resident Minister to the La Plata and Brasil governments, this being the main object of his diplomatic mission.»

regards the Treaty of 1866 and the Lindsay-Corral Convention: and it should *definitely break these compacts* wheter by causing the extraordinary Assembly to disapprove the one and resolve to substitute the other by reason of the insuperable dificulties which it has met with in practice, or by adopting some other measure conducive to the same end: *always however so arranging matters that it is not Bolivia that breaks* off relations *but Chile that is obliged to do so.*

The Chilean Ironclads Relations once broken off and a state of war declared, *Chile could not obtain possession of her ironclads*, and lacking force with which to attack, advantageously, would find herself in the necessity of accepting the mediation of Peru, which could in case of necessity be *converted into an armed mediation*—if the forces of that Republic sought to occupy Mejillones and Caracoles.

To the foregoing consideration you may add others which will doubtless determine the decision of the Bolivian Government to adopt the line of conduct indicated. I refer to the practical certainty we have of the adhesion to the alliance of the Argentine Republic.

The fixed point of view of Peruvian policy was the Chilean ships in construction. In Pardo's mind there was no time to lose, and as Bolivia did not hurry herself to terminate the questions pending, and October 1873 had arrived without seeing the materialization of the Treaty negotiated between Walker-Martínez and Baptista, Riva-Agüero reiterated his former advise in these terms;

«October 12th.=The confidential note forwarded by you under date of September 24th last and numbered 89, has been received in this Ministry.

«The repeated efforts which Señor Walker Martinez makes in the attempt to maintain peace between Bolivia and Chile, and the

different proposals continually put forward but never carried into effect to abrogate the Treaty of 1866, under discussion up to the present date without result, as I have communicated to you in many dispatches, are in such contradiction to the imperious and arrogant policy hitherto observed by the Government of Chile, that this change can only be explained by the desire of the Government to prolong the present state of affairs until it finds itself sufficiently strong to be able to demand, what at present it knows that there is no chance of obtaining.

Bolivia must hurry matters before the ironclads arrive

«But if it suits Chile now to show a conciliatory attitude, it is not only in order to avoid a premature breaking off of relations that would prevent her obtaining the ironclads from England; but also in order to make it appear when the rupture does take place that she has been dragged to it by necessity, after having exhausted all means of conciliation.

«Bolivia, therefore, should not allow herself to he taken by surprise, losing in fruitless negotiations an excellent opportunity for defining her boundary questions. *To propose the bases that may be considered just and equitable for the celebration of a Treaty would be to the interest of both countries;* such a Treaty as would, in conformity with the desires of both parties, abrogate that of 1866; but, at the same time, it is desirable that these negotiations should not be prolonged indefinitely. *In fact a time limit should be fixed for arriving at a definite agreement* which would put a term to the uncertainty caused by the expectation of a disagreement liable to bring about a war in which the political interests of all would suffer; not only in these two Republics, but in the rest of the Pacific States.

«Peru, animated by this interests and desirous of arriving once for all at a solution which shall not affect the honour or interests of Bolivia, considers, as a necessity, that this government, appreciating the desirability of terminating the said questions which may later on affect peace, or at least the friendly relations between two countries, should *adopt a determined* attitude which would bring as its result a definite agreement judging by the protesta-

tions of the Chilean *Chargé d'Affairs;* and which should be all the more easy to bring about now than at some later time when that Republic is in possession of means which may possibly induce her to make greater demands than it does at present.

« *You will accordingly press the Government in accordance with these considerations* to the end that it may arrive at a clear and *final understanding in its questions with Chile, before that Republic has completed the building of her ironclads and their sailing from England.*»

Whilst Peru was dealing in this maner with Bolivia she was pressing the Argentine Republic to adhere to the alliance.

The President of Argentine favours the secret treaty

The Peru-Argentinean negotiation of 1873 is envolved in deeper mystery than the Bolivian discussion.

From the secret official documents which I have seen, it appears that President Sarmiento and his Minister of Foreign Affairs, Don Carlos Tejedor, adhered to the Treaty and recommended it to Congress; that the Chamber of Deputies approved it by a great majority and *voted the funds for the war;* and it further appears that the Senate also approved it, requiring that it should be completed by the addition of certain declarations to form the matter of a protocol, which propositions, however, did not modify either the basis or the main intention of the Treaty. These declarations were resisted by Baptista; and it failed because the *Cochrane* put to sea, anticipating the calculations of the conspirators.

The attitude of President Sarmiento

At this time don Domingo Faustino Sarmiento governed the Argentine Republic, an erratic but brilliant writer, who had called public attention to himself in his own country and in Chile by his caustic pen and by some literary works of considerable merit. The aggressive and intemperate type of his character, and the fact that he took a warm part in the domestic politics of Chile, had brought him a host of friends and enemies. To Chile he owed half his public career. Arriving in Santiago as a fugitive in the greatest misery, from the Rosas Government he found a government which employed him in well salaried posts in the department of public instruction. Chile believed that Sarmiento would never lend himself to a conspiracy hatched in secret with the intention of reducing her position to that of a second class State in South America.

The Plenipotentiary of Chile in Buenos Aires, in those days was don Guillermo Blest Gana.

Soon after the signing of the Secret Treaty, Pardo sent to Buenos Aires don Manuel Irigoyen to raise the question of the adhesion of Argentine. The instructions given him are dated May 20th, seventeen days later than those of La Torre, and in them is repeated the declaration that the secret Treaty is directed against Chile, a statement that appears redundant after what is already known, but which is destined to establish a fact that was subsequently tenaciously denied.

Irigoyen solicits the Argentine alliance.

"You are aware," says Riva-Agüero to him, "that for some time past grave questions have arisen between Chile on the one side and the Argentine Confederation and Bolivia on the other, with respect to the demarcation of boundaries between them and that Republic.

"Bolivia isolated, lacks the strength sufficient to resist the pressure that Chile attempts to put upon her, and understands how desirable it is to tighten the bonds that unite us to her, solicits by means of her plenipotentiary and in conformity with the legislative resolution of which I include a copy, the moral and material aid she requires in order to permit her to discuss the question of her rights with calm and security.

"The Government of Peru cannot remain indifferent to the just demand of its neighbour, and has signed with her the Treaty of a defensive Alliance, a copy of which is enclosed, and which, already approved by the National Congress, will shortly be submitted to the Bolivian Assembly and made effective by both Governments.

"Since in the 9th article it is agreed to solicit the adhesion of other Governments, you will attempt to obtain that of this Republic, which does not appear to be a hard matter at present, in view of the difficulties which have beset her recently in her fruitless attempt to arrive at a definition of boundary lines with Chile."

The fear of Brazil.

Tejedor, requested by Irigoyen to adhere to the secret Treaty, accepted, though expressing the fear that if the information reached the ears of the Cabinet in Santiago, an alliance between Chile and Brazil would be formed in opposition.

Brazil was the safety counter poise that Chile had in the Atlantic.

Irigoyen made every effort he could to dissipate this fear and Riva-Agüero himself did the same, until Tejedor decided to enter into the plan confiding in the

assurance that the negotiation would be entirely private.

This first point eliminated, Tejedor exacted in return for the adhesion to the Treaty, firstly: that Bolivia should arrange her boundaries with Argentine; secondly that the rupture of the 1866 Treaty should not be considered *casus foederis*, that is to say that such rupture should not oblige Argentine to come to the aid of Bolivia with naval and military forces.

Conditions of the Argentine to join the alliance.

With regard to the first point, Irigoyen gave him assurances that Bolivia would proceed immediately to treat with Argentine on the question of boundaries, as soon as this country had signed the triple alliance, promising further to submit to arbitration the points of difference. The boundary problem between these two countries turns on the eastern frontier of the Chaco ond on the Province of Tarija. In order to infuse greater confidence, Irigoyen offered that this promise should be ratified by the Bolivian Government. President Ballivian and his Minister, Baptista, sent these declarations to La Latorre authorizing him to bring them to the knowledge of the Foreign Office of Buenos Aires.

"Having recently arrived at this city (Sucre)" wrote Ballivian, "and overburdened with things to see to, I have scarcely a few minutes available which, however, I devote with pleasure to acknowledging your kind and interesting letter of the 19th of the present month (September) together with the other that I received during my journey. I have instructed Señor Baptista to write to you also; he should forward to you, though in condensed form, our ideas and views on the subject which you have communicated to us.

It would be *most desirable that news* should soon arrive of some

definite *resolution being taken by the Argentine Government, since this would put us in a better position to carry out whatever would* be to the furthering of our common interests and desires.»

Bolivia gives assurances to Tejedor.

Baptista wrote as follows:—

"I am authorised to inform you that you may communicate to Señor Irigoyen the expression of the sincere desire of my Government to define as soon as possible the questions of boundaries pending with that of Buenos Aires. I accept the suggestion of Señor Irigoyen to enter into this negotiation at once either here or there, althoug I consider that it would be easier and more expeditious to place the seat of the discussion here, and I have no objection whatever in accepting arbitration on points that are not settled within a given time.»

It would appear to follow from these expressions that Ballivian only waited for the adhesion of Argentine to provoke the outbreak of hostilities counselled by Peru.

With this Tejedor expressed himself satisfied.

His second objection relative to the rupture by Bolivia of the Treaty of 1866 was much more important, because it upset the whole of the Peruvian policy which was trying to produce a war with Chile for this very reason, as the Peruvian Government had expressly stated to its agent in Bolivia.

Irigoyen energetically defended the views of his Government, which had cautioned him to make clear the importance given to this point.

When the Peruvian Government obtained knowledge of this requirement it replied:—

"If it is certain that it is not possible for a nation to fail to do what it has agreed to in a Treaty, it is also true that war may arise as a consequence of compliance, for this is exactly the position we have existing between Bolivia and Chile."

Tejedor desisted also from further observations on this point.

Sarmiento's Government had greeted the secret Treaty with sympathy, but hesitated in the moment of facing the perilous adventure, not seeing what compensation Bolivia could offer her in exchange for the risks to which a war with Chile exposed her. Military aid? Bolivia could not give it because of the enormous distance that separated her from Buenos Aires. Naval assistance? She had no ships. The alliance with Peru was quite another matter, since it would leave the Chilean coasts and ports dominated by the guns of the allies.

Tejedor proposes an Argentine-Peruvian alliance.

So Tejedor reasoned, and with this in mind he proposed to Irigoyen to eliminate Bolivia from the Treaty and to celebrate a direct alliance of Peru and Argentine against Chile.

The Peruvian Cabinet could not accept the suggestion because it was necessary for her economic ends that Bolivia should set fire to the powder, repudiating the Treaty of 1866, when the allies would sally out in her defence.

Peru took refuge in the argument of decorum and in her passed word. (1)

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(1) The reply of the Government of Peru was couched in the following terms: «October 1st, 1873: In the confidential note of August 25th last, you gave an account of the question put to you by the Minister of Foreign Affairs of that Republic, as to whether you would consider it possible to celebrate a Treaty of Alliance with the Argentine Confederation, putting on one side entirely the compact of February arranged with Bolivia, in favour

Sarmiento adheres to the secret treaty

After these alternative propositions that for some months delayed the des-

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of which you have been charged to obtain the adhesion of that Government.

«However powerful may be the motives of expediency which have impelled Señor Tejedor to request the setting aside of the celebration of an alliance in which Bolivia is included, Peru cannot follow in the affair any other course than that she has already embarked upon. Her community of interests with Bolivia and even more, her international loyalty, will never permit Peru to seek an ally on the Atlantic at the price of setting aside her natural friend on the Pacific, union with whom is already consecrated by a compact based on the public faith and honour of both nations.

«But even apart from those grave considerations there are others which, though of less importance, still work against the project of excluding Bolivia, put forward by the Minister of Foreign Affairs of the Argentine Confederation. Motives analogous to those which appear to have inspired the suggestion of Señor Tejedor might withdraw us from participation in the questions which Argentina has pending with Chile. In fact, the pretensions of both States to Patagonian territory are of interest to them alone, and whatever may be the result arrived at in these questions, the interests of one or other of the two countries will alone have been compromised.

«You must insist, therefore, whatever the state of the negotiations, in obtaining the complete and frank adhesion of the Government to the Treaty of February, with no further reserve than the reiteration of Bolivia's offer to settle within a determined time her boundary problems with the Confederation and to submit them to arbitration in case of necessity.

«This is the only policy that Peru can or ought to follow in existing South American questions, and from which she cannot depart if she desires to retain for her honour and public faith the respect which they merit.»

patch of the Treaty, the Government of Sarmiento accepted it officially and asked authorization from Congress to sign it. The Chamber of Deputies hastened to concede its authority and to vote funds for the war. It is easy to understand that the Peruvian Government received the news with great delight.

Riva Agüero communicated the news of this great success to his Minister in La Paz.

«October 24, 1873.—I am glad to inform you of the fortunate result obtained by Dr. Don Manuel Irigoyen in the important mission confided to him near the Argentine Government, which, as you will see from the enclosed copy, finally adheres to the compact of defensive alliance of February 6th. I have communicated this happy result to Señor Terrazas, who in turn transmits the news to his Government by the present post.

«Later than this official note I have received a letter from Dr. Irigoyen dated September 26th in which he informs me that the Argentine Government has approved it in the Chamber of Deputies by a large majority, and that it has been forwarded to the Chamber of Senators, where it will undoubtedly meet with the same reception, since all parties manifest themselves decidedly in favour of the Alliance.

«The aforesaid letter of Dr. Irigoyen, which is of semi-official character in this respect says:—'that the authority (poder) to act on the part of Bolivia not having arrived by the steamer, he interviewed Señor Tejedor and agreed with him that the latter should request permission of Congress for the Government of Argentine to adhere to the alliance; and in fact he did so by means of a note which the *President of the Republic signed also*, reading the said note in the Chamber of Deputies in secret session, where it produced a great effect, being then passed to a commission.

«September 28th: That the Chamber of Deputies expressed its approbation by a great majority, and that it has authorised the

Executive to set aside six million pesos cash in the event of a *casus foederis;* that afterwards the matter was brought before the Senate, where, according to the opinion of influencial members of that body it is sure of approval.

«All this it gives me great pleasure to communicate to you and I expect to be able to ratify the approbation of the Argentine Senate as soon as the correspondence from our legation in Buenos Aires comes to hand, which should be brought by the next steamer from the South.»

The Argentine Government sent as Ministers «ad hoc» to the allies, Don Manuel Domínguez to Lima, and Don José E. Uriburu to Bolivia.

The attitude of Brazil

Reports about the secret treaty.

The Minister of Chile in Buenos Aires, Blest Gana. was in that city when the sessions were held in which the Triple Alliance was discussed, and he transmitted to the Governement in ciphered communications the scattered, and vague scraps of information which he managed to pick up. As time passed, the informations became more definite in character and on the 1st. November, 1873, he gave the information that the Argentine Government had submitted to the consideration of Congress the idea of the advantage of celebrating an alliance with the Republics of Bolivia and Peru, for the probable eventuality of a war with Chile or with Brazil. Blest Gana added that the Chamber of Deputies had approved the message of Sarmiento with one vote only in opposition.

Don Adolfo Ibáñez, Minister of Foreign Affairs of

President Errázuriz, communicated this information to the Plenipotentiary in Lima, Don Joaquín Godoy, who answered on the 21st of November,

«Appreciating the extreme gravity of the matter to which this note refers and the importance of making clear its meaning, all my efforts will be directed, as at present, to put myself in a position to forward to you the most trustwothy and compiete in formation as soon as possible.»

Godoy wrote to Walker Martínez that he should try to discover the truth of the news in Bolivia.

Walker Martínez answered:

«December, 1873, With regard to the alliance which has been spoken of between this Republic and the Republics of Argentine and Peru against Chile, here everybody considers that it is a mere rumour. The Peruvian Minister, Señor La Torre, when the matter was referred to, laughed loudly, and has publicly *protested against any such alliance.* He has done this in so public a manner and with such frankness that it seems to me that he either knows nothing about it or that up to the present nothing definite has taken place. The Minister of Brazil has received from his Government more or less the same intelligence which you, and myself also have received and has talked to me a good deal about the question in order to arrive at some understanding as to what should be done. I am awaiting the arrival of the Government in order to sound the depths and gain more security on the matter. I will send you the result of my investigations as soon as possible.»

Soon after, the Government of Chile obtained confirmation of what Blest Gana had communicated, through Brazil, and accordingly made it known to Ibáñez in Santiago, and to our Minister in Buenos Aires that a pact of

Alliance, against Chile, had been approved between Argentine, Peru and Bolivia.

Brazil denounces the secret treaty.

«March, 1875, The presumed alliance of Peru and Bolivia», said Ibáñez to Blest Gana «of which you spoke in your confidential despatches of the 19th of January, 12th and 26th of February last. has arrived to the knowledge of my Government by different channels, and have been confirmed in a confidential manne by the honourable representative of Brazil in this capital. In view of this fact, which could not be more serious, my Government today sees itself obliged to take no important resolution whilst lacking more precise information respecting the propositions, means and ends of the alliance.»

It is necesary to know how to read the diplomatic language of Chile. The time left to Ibáñez to investigate «the propositions means and ends of the alliance» was that which was necessary to allow the sailing from England of the ironclads in construction.

Through the whole year 1873, President Errázuriz had lived in continual anxiety, and ordered by telegraph that they should work on them day and night. He was certain that there was peril on the horizon. The tone of the Foreign Office of Lima had assumed a character of untoward arrogance since the signing of the secret. Treaty to the point that in February, 1873, Don Eulogio Altamirano, Chief of the Cabinet, feared at any moment the provocation of Peru.

Fear of war in 1873.

«For six or eight days more,» he wrote to Godoy, «I shall continue to hold the honour of being your chief. I hope that during this time Peru will not declare war and that I shall not have the painful honour of receiving the ultimatum.»

Ibañez, penetrating the secret of the situation, said to Godoy.

«They fear the coming of our ironclads, and have passed the word to provoke us to quarrel. Meanwhile, we need all the more, patience and resignation. Have the same, then, also.»

Godoy needed great patience.

The journals which received official inspiration in Lima, *El Comercio* and *El Nacional*, pushed very far their attacks on Chile.

Godoy and Riva-Agüero

An incident that happened in those days gave more force still to this bellicose tendency. The Chilean Minister in Lima received orders to request information with regard to a proposition made by Peru to Bolivia, to the effect that she should subject the nitrate of the coast line to the same fiscal rules as Peru, without which the *Estanco* was written on water.

Riva-Agüero received the petition of Godoy in a friendly manner—recognized the fact of the matter, adding that as Bolivia had stated she lacked the funds necessary to buy the nitrate in the port and sell it afterwards for her account as Peru proposed to do in Tarapaca, he Riva-Agüero, had offered to advance the money.

Godoy observed that such an agreement should be discussed with Chile, because the salitre of the part of the coast line situated to the south of the 23rd parallel was subject to the sharing rule and the legislation with regard to it could not be altered without the agreement of both States. The Peruvian Minister appeared to

assent to this observations and agreed that Godoy should communicate his remarks in written form. This is the Chilean Minister's version of the incident.

Godoy's communication was answered in so intemperate a manner that many considered war inevitable. Just then, Pardo considered that the moment was propitious for pushing matters to extremity. The Minister of Peru in Santiago, don Jose Pardo, received a letter from his nephew, the President of Peru, in which the latter announced that he was disposed to turn Godoy out of Lima.

«Be on the look out» Ibañez advised Godoy, «counting always on the security that we will do you complete justice here.»

Throughout the whole year 1873, the atmosphere was charged with electricity and the air smelt of powder. The scare lasted till the middle of 1874. Foreign diplomats perceived the unusual tenseness of the atmosphere, but did not hit on the cause, which was the secret Treaty. When the incident between Godoy and Riva-Agüero happened, Brasil was represented in Lima by don T. Leal and in Santiago by Baron A. D'Andrade. Leal was inclined to the Peruvian side. D'Andrade maintained a more impartial attitude. Leal thought that the difference might lead to a rupture. By reason of this the Brasilian diplomats exchanged private letters in which the one did not hide his leanings in favour of Riva-Agüero, whilst, on the other hand the other found the right on the side of the Chilean Minister, but, though disagreeing on this point, both declared that the affair

seemed to them so strange that they were forced to believe that *something more* lay behind, at present unseen.

«I see in all this», wrote Leal, «an enigma which I cannot understand.»

«I find also,» replied Andrade, «a riddle that I cannot explain.»

The enigma was the secret Treaty and the desire of Peru to precipitate hostilities before the arrival of the Chilean warships.

The Argentine Senate and the secret Treaty.

The countries associated together against Chile, more especially the Government of Peru, remained in expectation, awaiting the Argentine Senate acceptance of the Alliance, approved by the Chamber of Deputies of Buenos Aires. They had confidence in the result of the consultation. The enthusiastic sentiment of adhesion which had been demonstrated by the Government of Sarmiento still existed, as Tejedor had verbally assured Irigoyen.

It appears, as I have said already, that the Senate approved the secret Treaty, duly requiring that it should be amplified by a protocol in which some points of detail were stipulated.

At that moment the term of the sittings was about to come to an end for 1873, and as there was no hurry, since according to the most optimistic calculations the Chilean ships could not leave England before 1875, this Protocol might be celebrated without inconvenience during the period of recess.

Meanwhile, Tejedor signified his adhesion to the Alliance, as it would appear when completed whit the modifications treated of in the complementary protocol, by means of a note of October 14. 1873. This note is not available, but its contents may be deduced from the reply which was given to it by the Peruvian Government.

Modifications asked by Tejedor.

The modifications asked for by Tejedor were the these:

1.º Boundaries requiring definition between nations pertaining to different forms of Government (as Argentine and Brazil) not to be subject to the principle of *uti possidetis* of 1810.

Peru accepted this modification.

«*Uti possidetis*» Peru answered, «is absolutely inadmissible in treating of distinct dominions between which compacts exist defining their different territories; the principles of *present possesion* cannot be admitted as a valid rule save in cases where the right of ownership has not been recognised.»

This clause had in view the preservation of the rights of Argentine to the territory of Misiones (ocupied by Brazil before 1810).

2.º Tejedor found that the wording of the article 2.º lent itself to the interpretation that the allies must intervene in certain laws emitted by the others, thus interfering with their independent sovereignty.

3.º Inasmuch as in articles 5 and 6 of the same, it is stated that the allies «are under obligation to lend their aid to anyone of them who is attacked or aggrieved,» Tejedor or the Senate desired that these words should not be taken as synonimous and that the allies should have

the right to qualify each case replacing the word «obliged» by «may».

4.º It was asked that the Alliance should demand the neutralization of the Straits of Magellan. (1)

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(1) The nature of the affair, hitherto completely unknown, and the lack of documents which prevents the making of concrete statements, obliges me to give in the following note proofs of the statements made in the text, taking advantage for this purpose of the answer of the Lima Forcign Office to Tejedor given in a private document enticled *Memorandum of the observations, which in the opinion of the Government of Peru should be made on the note of adhesion of the Argentine Governmet dated the 24th of october last, and which should be taken into account in drawing up the Protocol establishing the said adhesion*».

To Tejedor's second observation, the Government of Peru replied as follows:—«The observations made by señor Tejedor whith respect to article 2.o, in which «*cases of offence*» are specified disappear if the light trouble of putting this article into relation with the 1.o is taken, fixing the attention not only on the clause contained in it but also on the spirit and sense of the Treaty taken as a whole.»

«With regard to the laws alluded to in the item 3.º, these cannot be other than those referring to sovereignty, independence and territorial integrity, the only ones that foreign nations can mutually guarantee one another, and not civil, administrative or political laws of secondary order.

On the words «offended or attacked» the document says: «Respecting the 3.º alteration required by Señor Tejedor, it cannot be considered that are synonimous the *Republics offended or attacked* made use of in articles 5.º and 6.º where these treat of the arrangements for the determination of the subsidies which the contracting parties owe to one another in case of war. In fact, one of the Republics might have been offended without as yet

As I have already had occasion to say, it was to be noted that in the year 1874 the needle marking the course of Bolivian politics became uncertain in its indications. It did not now incline with the same fixity towards Peru. Baptista was not the same politician who the year before had signed the Secret Treaty. He was not now disposed to accept all the requirements of Peru or Argentine. It is very difficult for a foreign writer ignorant of the interior politics of Bolivia to give a satisfactory explanation of this change.

It appears to be a fact that Baptista found the declaration of the Treaty respecting *uti possidetis* in 1810 too comprehensive and, as a matter of fact, if the compacts existing between Spain and Portugal only, were excluded, it sanctioned the rule that the sovereignty of the new Republics should be fixed in accord with the

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beinght *attacked*, but if the circumstances were pressing and urgent, any delay in determining by protocols between the respective plenipotentiaries the amount of the subsidies and armed assistance might place the *offended* Republic in peril of being *attaeked* before the aid spoken of was rendered available: in such case the contracting parties bind themselves to supply the means of defence to the «offended or attacked», party to the extent that each one of them considers itself to have at disposal, although the agreements spoken of in article 5.º were not concluded. It would not, therefore, be an advantage to replace the words *bind themselves* by the word *may* as requested by Señor Tejedor.

With regard to the article 4.º «In complete agreement with the same idea as the Government of Argentine, Peru considers favourably the suggestion that an understanding be arrived at with regard to points of common and perhaps universal interest, such as that of the neutralization of the Straits of Magellan.»

possession at that date. In such case Bolivia would compromise her rights to Tarija, which she incorporated later. The case was grave for Baptista and although Uriburu offered that his country should leave this matter apart, such offer did not appear to be sufficient and his patriotism rebelled against the idea of signing a declaration that might weaken the title of his country to a section of its territory (1).

In August, 1874, Baptista answered the note of Tejedor of October of the preceding year in terms which impressend the Argentine Government very unfavourably and almost put an end to the Treaty of Allian ce (2).

«October 23rd, 1874. By means of the copies forwarded to you with the correspondence directed to this office by Señor Irigoyen you will be informed of the manner in which the Argentine Government has received the declarations of Sr. Baptista in his communication of August 8th, directed to our representative in Buenos Aires, on the observations made by the said Government before confirming its adhesion to the pact of defensive alliance of February 6th.

«In view of the bad effect produced by the aforesaid explanation it is to be feared that the charge given to Señor Irigoyen will be entirely nullified and, abstaining from all commentary, I limit myself to the reproduction of the well founded considera-

(1) April 22, 1875. — Private document of La Torre who was Minister in Bolivia in 1874. «You will recall certain ideas of Señor Tejedor as to *uti possidetis* and I can assure you that in a private and confidential interview. señor Uriburu, Plenipotentiary in Bolivia of the Confederation told me that his Government did not think of raising any question with regard to that territory.»

(2) Private note to the Minister in Bolivia, signed by Riva Agüero.

tions which our representative in Buenos Aires delivers in the note herewith included.»

A new difficulty rose soon after. Brazil and Chile were preoccupied with the secret debates of the Argentine Congress, each believing that the conspiracy was directed against herself. Brazil made some manifestations of displeasure in Lima, because Pardo feared that Brazil would join with Chile and take possession of the Amazon territory of Peru which he could not defend.

Pardo fears alliance Between Chile and Brazil.

In order to quiet Brazil, he ordered the Peruvian Minister in Buenos Aires the introduce a clause into the Protocol, complementary to the Treaty, which Tejedor was asking for, making it clear that the Secret Treaty was not aimed at Brazil but at Chile.

«To Irigoyen. April 14th, 1874. We must», he said, «go gently in this matter, because under all considerations it is necessary for us to remain on the footing of perfect understanding in which today we find ourselves with Brazil. We have valuable interests in Amazonas and might suffer much on that side, wherefore it is necessary to prevent the alliance of Chile and Brazil which might, in case of a war, be very prejudicial to us».

«The means of making such an alliance impossible, and in consequence of leaving Chile isolated in all its difficulties is, in my judgment and in that of the Government, to circumscribe the alliance with Argentine and Bolivia to the boundary questions between them and Chile, and to the questions which may arise between the contracting countries, stating accordingly in the Protocol which legalises the adhesion, that the alliance is limited to these, and not to questions that for political or territorial reasons may arise between the Confederation and the Empire.»

This declaration which was lo be included in the Protocol was expressed by copying the above words. It says:—

«The Alliance will not deal with questions which for political or territorial reasons may arise between the Confederation and the Empire of Brazil, but will only treat of the boundary questions between the Argentine Republic, Bolivia and Chile, and the other questions that may arise between the contracting countries.»

In spite of the fact that this explanation was not to the taste of Argentine Tejedor acepted it, agreeing that it would furnish matter for compensating conmunications. But here, again, another difficulty arose, set on foot by Baptista. Baptista rejected the Peruvian restriction mentione above (1).

Sailing of the *Cochrane* from england

In this state of affairs two things happened which completely modified the situation: viz. the Chilean-Bolivian Treaty of 1874 and the sailing of the *Cochrane* from the shores of England.

Whilst the allies were differing over the *uti possidetis* and over the manner of quieting Brazil, there appeared

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(1) In Private communication of August 29th, 1874, Riva Agüero manifests his surprise that Baptista proceeded in such manner when Terrazas, Bolivian Minister in Lima, was in agreement with Pardo's Government on this point, and confided in the hope that Baptista would change his opinion and would permit Peru to avoid the peril of the Chilean-Brazilian alliance which would begin operations by causing the loss of territories in the hidrographic basin of the Amazon.

over the horizon the bulk of the Chilean ironclads and everything fell back again into its normal state.

As it is known, the Chilean-Bolivian Treaty of 1874 replaced that of 1866, suppressing the sharing arrangement and imposing upon Bolivia as the sole compensation to Chile the fact of not fixing any new tax for twenty-five years on Chilean capital and industry in the zone renounced by Chile.

The other fact referred to was the sailing of the *Cochrane* fron Europa.

President Errazuriz, seriously alarmed by the bellicose tendencies manifested by Peru during the incident between Riva-Agüero and Godoy with regard to the Perú Bolivian Convention over nitrate, and Pardo's attitude towards Godoy, ordered that the *Cochrane* should put to sea whatever her state of completión. As a matter of fact this was done. The *Cochrane* sailed fron Europe without her zinc sheeting, but with herguns ready, and arrived in so unfinished a state that two years later it was necessary to send her back to Europe to be completed.

Change of policy of Peru

The policy of Peru changed entirely from that moment. In face of the Bolivian agitation against the Walker Martinez Treaty of 1874 she fell into line with the peace makers in order to prevent the rupture which the year before she had striven to provoke.

Here are the private instructions given to the Peruvian Minister inLa Paz:—

«October, 1874. By previous post I stated to you the grave

dangers which the rejection of the Treaty might bring to the good feeling with Chile, and if, a year ago it might have been possible to secure better conditions for Bolivia, now any negotiation set on foot for that end becomes more difficult daily. We have seen this situation coming, and for our part we have ever been sufficiently explicit with that Government, making it understood for two years past that it should not let time go by uselessly, and advising that the bases of a proper agreement for both nations should be arrived at by adopting a definite resolution on the matter.

«At that time much could have been effected, but two years have been lost in sterile discussions, the present Treaty being the only result arrived at, when now we find Chile in possession of means to impose her own conditions and to carry forward any plan that she may have formed with regard to the Bolivian coastline.

«If the Treaty is disapproved, it is to be feared that new difficulties will arise, the result of which it is impossible to foresee; *now that the Chilean navy is reinforced by this ironclad which she has brought from English shipyards and which is at present on the way to the Pacific.*»

This event and the replacing of Sarmiento by don Nicolas Avellaneda as President of the Republic, put an end, for the moment, to the project of the triple alliance.

The coming of the *Cochrane* defeats the secret treaty.

From the arrival of the *Cochrane* in our waters, the attitude of the Peruvian Government changed completely. In April, 1875, it ordered its Minister in Buenos Aires to modify the wording of that clause which stated that the triple alliance had Chile only in view, and that he should arrange so that Argentine should not adhere to the Secret Treaty, making use of any means for this end.

In October, 1875, the Foreing Office of Lima wrote to Irigoyen.

Peru attempting to prevent Argentine from adhering to the secret treaty.

«I have pointed out to you how desirable it would be to delay the Protocol of adherence and for this purpose the requirements of Bolivia recently reiterated by His Excellency Señor Baptista to you in the correspondence which should have arrived at that Legation after the 6th of September may be made use of. This is a matter which must be carried through with great care, since it is to our interest that the Argentine Government should not believe that we are hanging back, in consideration of the difficulties raised over the Patagonian question.

...«I have said to you, I have reiterated it in a dispatch of the same month and in sundry other letters, and I repeat once more how important it is to put off the signing of the Protocol of adherence to the Treaty of the 6th February. In fact, under existing circunstances that which best suits us is to preserve our absolute liberty of action and this we cannot have while bound to the Argentine Republic by a solemn compact.»

In December he repeated:—

«The only thing to be done for the present is to postpone all discussion of this matter (the Treaty) and in the event of the discussion arising we must for our part, sustain the declarations made over the *uti possidetis* in the form in which they have been presented; you will be able to demand a new consultation on the matter since the meeting of the Argentine Congres is still very far off, without the approbation of which the negotiation pending cannot be carried to a completion.»

In such manner died this far reaching intrigue which might have had a decisive influence on the fate of Chile if Pardo had been able to carry out his proposal in 1873, when we had not the means of defending the territory which it was designed to take from us.

The secret Treaty was unknown in Chile until 1879.

Hundreds of people outside of Chile knew of the secret Treaty.

It is really a matter for surprise that to a hundred people at least in each of the countries concerned the fact of the Secret Treaty was well known, whilst Chile was absolutely ignorant of the matter until Peru gave it publicity in 1879.

There were concerned in this plan four governments, that of Ballivian, of Pardo, of Sarmiento and of Frias. All the Diplomatic Ministers of Peru, Bolivia and Argentine had the Treaty in their possession and made mention of it in their correspondence. Three Congresses gave it their approbation, that of Bolivia twice, in 1872 and 1873, that of Peru and Argentine in the latter year. All public men who figured in the diplomacy of the time knew of its existence and the secret passed through the hands of persons of secondary importance.

Proof exists in official documents that is was known to Sergeant Major Don Juan S. Lizarraga, Attaché of the Peruvian Legation in La Paz, and that copies were in the possession, not only of Tejedor, Baptista, Riva-Agüero, La Torre and Irigoyen, but also of the Peruvian diplomats Don Victor Benavides, Don Miguel San Roman, Don José Luis Quiñones, Don Aurelio García y García, and Don I. C. Julio Rospigliosi.

There was scarcely a public man of any importance in Peru who did not know about it, and in regard to this I

may be permitted to make a digression. When Lavalle, interrogated by Fierro, said that he knew nothing of it, as we shall see when we come to speak of his mission in Chile, Lavalle was hiding the truth. His literal reply was as follows:—"that he had been President of the Diplomatic Commission in '76 and '78 and that in those years he had not seen any such Treaty."

Well then, even this captious answer was inexact. The Congress of 1876 had occasion to be informed as regards to the Secret Treaty. On the 28th of July of that year the Peruvian Government sent to Congress a note in which the following references to it occur.

"Above all," it said, "the Secret Treaty of defensive alliance of February 6th, 1873, which the Congress approved in April 22nd of the same year, should be borne in mind. Since the Treaty," it added, "met with the approval of the Congresses of both countries and was ratified in June, 1873, the nation is bound to afford Bolivia assistance of whatsoever kind the case—such as that now occupying our attention—may demand, according to the stipulations of article 5.º etc."

"If the Bolivian coast-line is taken away from that Republic, we would see ourselves liable to be involved in a war of terrible consequences, since, by the terms of the Secret Treaty we are bound to conserve its territory intact."

This note was directed to the Congress in which, Lavalle, a relative of Pardo, occupied a prominent position as chief of the Diplomatic Commission.

In Chile nobody had seen it.

On the other and, in Chile nobody knew about this Treaty that was an open secret in Peru, in Bolivia and in the Argentine: Godoy, Blest-Gana and Ibáñez had heard rumours of it,

but did not know the scope of its stipulations. The men most familiar with the inner workings of our politics did not believe in its existence and the public was assured of this in the press and in the meetings that were held in Valparaiso and in Santiago before war was declared. There are extant declarations of Don Manuel Montt, of Don Domingo Santa Maria, of Vicuña Mackenna and of Don Antonio Varas in this sense, and to these may be added the name of President Pinto, since I have personal reasons for believing that in March, 1879, he did not credit the existence of the Secret Treaty.

This explains the wave of indignation which the official confirmation of the reality of this compact awakened in Chile, and it would have been still greater if the evil intentions which the Treaty implied with respect to our territorial integrity had been understood (1).

It is settled by this statement that the starting point of the Secret Treaty was the Peruvian naval demonstra-

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(1) In Chile the belief has been general that the Secret Treaty was set aside in the Argentine Senate by Senator Rawson, but the documents in my possession make no mention of it, which makes it clear that his opposition did not have the effect attributed to it. There is no doubt that Rawson spoke against the Triple Alliance in the secret session in Buenos Aires, because he affirmed the fact in letters published in the Argentine press, from which the rumour, persistently credited in Chile, took its origin. The very valuable documentary authorities which have served me in this chapter are taken from the Godoy papers. They were found by that distinguished Chilean diplomat in the Ministry of Foreign Affairs in Lima when he and our army took possession of the town.

tion in Tocopilla during the Quevedo expedition, and the subsequent official declaration on the part of Peru that she would not permit the occupation of the Bolivian coast line by a foreign country. Bolivia took her stand on this to solicit the alliance, to which request Pardo agreed instantly and joyfully.

The object of Bolivia in taking this step was to dispute to Chile the dominion of the coast line and, with the aid of Peru, to recover what she called «her frontiers», that is to say, the 26th parallel. Baptista modified his judgement and instead of pushing matters to extremes, inclined towards conciliation.

Peru gave the Treaty its full international range. The reader is now in a position to comprehend the efforts she put forth with Bolivia to precipitate a rupture in 1873, and with Argentine that she should make common cause with them against Chile.

The shade of Banquo in this great conspiracy was the «Cochrane». When the vessel made ist appearance in the Atlantic, shaping its course for Chile, Peruvian diplomacy, that had cast so much fuel into the furnace of war, suddenly reversed engines.

Brazil and the Secret Treaty.

It is curious to observe in this incident the attitude of Brazil. When Irigoyen proposed the alliance to Tejedor, his first observation referred to the fear of the formation of a Chile-Brazil alliance. He had to be dissuaded of this, security being given that such would not come to pass. Afterwards, when Brazil discovered something of the shady plan, Peru, fearful also of this alliance, proposed the

declaration that the Treaty was against Chile only,—in no case against Brazil.

The friendship of Chile and Brazil, founded on the harmony of their permanent interests, was a guarantee of security for Chile as regards Peru and Argentine, for which there was no necessity to celebrate treaties, it being sufficient to do nothing injurious to the friendly tendency of the two peoples who had no rational occasion for disagreement. This is one of the chief lessons taught by the history of the Secret Treaty.

The conflict with Bolivia.

The Nitrate Company.

In the first chapter I pointed out the position of the «Compañía de Salitres de Antofagasta», after the celebration with the Bolivian Government of the Transaction of 1873 as to the concessions granted by Melgarejo. I stated also that, after this transaction was arranged, the Treaty of 1874 was signed, in virtue of which the Chilean industries established on the coast line were exempted from taxes «of whatsoever kind».

The «Compañía de Salitres» believed that these stipulations placed it beyond the range of any trick of the Bolivian Treasury, and that the hateful question debated since 1871 had been disposed of. The capitalists who were at the head of the business took courage and made heavy investments.

The Bolivian Government carried through the transaction in due legal form, placing the parties interested

in possession of the territories; the document was published in the «Oficial Annual of the Laws of Bolivia» and it was communicated to Congress, with congratulations on having settled a matter that, as it was said, had «compromised the good name of the Government before public opinion.»

Five Years Without Law-Suits.

At that time the Company enjoyed exemption from taxes, and if it had any complaints to make, they were of minor importance. The Municipality of Antofagasta considered itself authorised to claim local taxes, over which matter the company appealed in order not to weaken the privilege stipulated in the Treaty of 1874, but these differences gave rise to no trouble worthy of being recorded. It was another matter when the Assembly of 1878 put on a tax of ten cents per quintal of salitre.

General Daza.

At this time General Don Hilarion Daza filled the post of President of the Republic of Bolivia. Later on in this work we shall give some information respecting his military and political past.

Public men who have studied in Switzerland say that one of the most difficult things for a school teacher in that country is to make his pupils understand what is meant by an absolute king, because liberty is so much a part of their atmosphere that a child cannot comprehend the monstrosity of one man taking away the rights of others. The reader of the histoy of a country governed by laws; governed by parties which are represented in the public authorities, can no more easily give himself a clear idea of the situation of the Bolivian peo-

ple under the rule of its tyrants, one of whom was. Daza. Imperial Rome, in the description of Suetonius and Tacitus cannot show caprices of moral perversity which these men did not permit themselves to exercise, nor liberty left on foot; virtue, security of life being no shield against them.

The basis of Daza's power was a pretorian guard which imposed itself on the country and the rest of the army by superiority of armament. The people did not exist. What was called such was a submissive populace of Indians, inured to despotism by the Incas, whose teachings, folk like Belzu, Morales and Daza turned to their own advantage.

The Populace Inured to Despotism.

The tiranny of these men was the consequence of the system organised by the Inca rule. They could never have existed without a submissive horde of Indians, no more than the history of Paraguay would have recorded the names of Doctor Francia or of Lopez the First if the Jesuits had not prepared the ground for them by organising the despotism of which those men were only the continuers and the heirs.

Daza had Bolivia dominated in 1879. It was not allowed to anybody to have a different opinion, so that whatsoever denomination au organization had: Assembly, Ministry, or Council of State, these bodies were only the Dictator under another name or form.

The Bolivian Ministry.

The Ministry that expressed Daza's will was made up of the following persons in 1878. Foreign Affairs: don Martin Lanza, an

illustrious name in the history of Bolivia; Minister of Finance: señor Salvatierra; Justice and Instruction: Serapio Reyes Ortiz; War, General don Oton Jofre. Salvatierra was replaced within six months by Eulogio Doria Medina.

The Chilean representatives Videla and Valdes Vergara.

Chile was represented in La Paz by don Pedro Nolasco Videla as *Chargé d'Affairs*, and he had as his secretary a young man of talent, don Francisco Valdes Vergara, who had already shown indication of the notable qualities as a writer which he developed later on. Videla was very ill and the weight of the work in that ticklish time with which I am about to deal, fell on the secretary.

The Assembly of 1878 exhumed from its archives the transaction celebrated in 1873, and stirring up again an affair that was supposed to be terminated, dictated on the 14th of February 1878, the following resolution.

The Law That Brought About The War.

«The agreements celebrated by the Executive on the 27th November 1873 with the representative of the Compañía de Salitres y Ferrocarril de Antofagasta, is approved on condition of the payment of a minimum tax of ten cents per quintal exported.»

The Government ordered this Law to be published in Antofagasta and notified the Manager of the Company, Mr. George Hicks. The Directorate of the Company, established in Valparaiso, solicited the Government to give them diplomatic assistance.

Looking at the matter from the point of view of the amount of the tax—ten cents per quintal—the case seems a mere nothing, but the question was to maintain the integrity of the stipulations of 1874, the only gua-

rantee against authorities which found its excuse in the necessities which were the daily experience of Bolivian Dictators. To let pass without protest a tax of ten cents would be to authorise one of any amount later on.

The nitrate industry of Antofagasta could not exist if put on a parallel level of taxation with Tarapaca. Its poor caliche could only support the competition thanks to the exemption from taxes which the Treaty in force assured. At this time Tarapaca was exploiting ist richest deposits and put the product on the market at a lower price than Antofagasta. That which harmonised the commercial conditions of the rival zones was the Peruvian export duty. Accordingly, the threat of the disappearance of the guarantee assured by the Treaty of 1874 meant death to Antofagasta, and ruin to the Compañía Chilena. In Santiago the Government considered these fears to be justified and ordered Videla to support the claims of the Company.

This was the beginning of the grave conflict of 1879.

The diplomatic reclamation

Assurance given to Videla.

In April 1878 Videla interviewed the Minister of Finance Salvatierra, who agreed to leave the law in suspense until some prudent solution of the difficulty could be found. A short time after he gave up his post to Doria Medina, who reiterated this promise to Videla.

But time went on, the interviews were verbal only,

and apprehensive capitalists demanded a declaration which should have more value than words only, a definite recognition of the exemption from taxes conferred by their concessions and by the Treaty of 1874 Knowing how business was then conducted in Bolivia, under the leadership of unscrupulous adventurers, the fears of the shareholders of the company were not unfounded. Against the securities which Videla had to show, the promises of Salvatierra and Doria Medina, the Company and the Chilean Banks received alarming reports of another character, in which it was stated that the tax was indeed about to be imposed, and by means of the thin edge of a the wedge of the cents, the taxation of the dictatorship would be introduced bodily.

Lack of Confidence in Chile.—First note of Videla, July 2nd.

The Government ordered Videla to treat of the matter in writing, without abandoning a tone of perfect courtesy; and he did so in a dispatch dated July 2nd, 1878, in which he invited, in a friendly manner, the Bolivian Government to comply with the agreement of 1873 and the Treaty of 1874.

Daza, however, had resolved to annull the concessions of the Company, and, to make use of his own terms, «pitch the English out of Antofagasta,» so saying because the Manager, George Hicks, and some of the employees were English.

Threat to annull the concessions

The note was not answered for a whole month, and in an interview which Videla had with Doria Medina, he heard from his lips,

with profound alarm, that the concessions of the Company had no legal base and might be annulled. (1)

For three months the Government in Santiago waited before taking up the complaint of the Company in a decided manner. It wished to give Bolivia time for reflection, but the Dictator, once launched on the incline by his unrestricted will, showed himself each time more opposed to any equitable agreement. In the meantime the Company used its influence with the Government through the medium of Don Francisco Puelma, the fortunate partner of Ossa, in 1866.

Whilst this was happening in Santiago, the Ministry in La Paz, shutting itself up in deliberate silence, left unanswered the note of July 2nd, referred to above.

Note of Government of Chile November 8th.

The three months allowed by the Chilean Government having gone by, a more decided attitude was adopted, imposed by reason of the threatening declaration made by Doria Medina to Videla, and on the 8th of November a despatch was sent to the latter pointing out that the obstinacy of Bolivia might lead even to the abrogation of the existing Treaty.

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(1) August 1st «I have had two interviews,» wrote Videla, «with the Minister of Finance respecting what steps were going to be taken in the business, and I have met with opposition to the recognition of the justice of the claim. Going back to the time of the celebration of the transaction that put an end to the difficulties in which the Compañía de Salitres found itself after the fall of Melgarejo's Government, the Minister believes that this act was not properly carried out and that it suffered *from such grave legal defects that it might be annulled.*»

It is to be remembered that the suppression of the sharing rule over territory south of parallel 23° had been a concession compensated by exemption from all duty for 25 years, Chilean persons, industries and capital, and that, taking into consideration the growth of the Chilean population on the coast-line, it was dangerous to provoke a controversy that put in doubt the validity of the Treaty. In other words, if the Treaty were annulled, no Chilean Government would cede this territory over again. The note terminated with these words:

«The negative of the Bolivian Government to a claim so just, as has been demonstrated, would place my Government in the necessity of declaring null the Treatry of boundaries that unites us to that contry, and the consequences of this painful declaration, justifiable and necessary, however, would be the responsability on the side that had failed to comply with the compact.»

When Videla received this despatch he had celebrated several interviews with Lanza and with Doria Medina who had stated that Daza was resolved to enforce the law that had caused our protest. He now requested a new interview, and as he saw that nothing was being advanced, he read the communication just cited to the Bolivian Minister. This took place on November 28th.

From that moment we can see the inflexible determination of the Bolivian Government to enforce the tax. The note read by Videla, of which he left a copy, Daza looked on as a threat, not as a warning of the consequences that might arise from his refusal.

Before continuing, allow me to make a digression. The references I make to the personnel of the Chilean

Cabinet oblige me to enumerate the opponents of Bolivian dictation.

Ministry of Chile at that date

The Minister of Interior was don Belisario Prats, a man eminent for intelligence and character; the Minister of Foreign Affairs was don Alejandro Fierro; of Justice, Instruction and Ecclesiastical Affairs, don Joaquin Blest Gana; of Finance don Julio Zegers; of War and Marine, Colonel Cornelio Saavedra. There were two tendencies in the Government. One determined to make itself respected, headed by Prats and comprising the majority of his colleagues; the other more moderate in tone represented by the President.

Discussion between Chile and Bolivia

Bolivia's reply to the notes of July 2d. and November 8th.

On December 13th. the reply of the Bolivian Foreign Office to the note of July 2nd arrived in the Chilean Legation. It was in two parts: one from Minister of Foreign Affairs, Reyes Ortiz, very short: the other, very long, from the Finance Minister, Doria Medina, who appeared as having been consulted on the legality of the measure by the first named.

Doria Medina recapitulated the legal arguments then invoked by the Government and by Bolivian writers, in such a way that this document is the classic thesis on which the Foreign Office of that country bases its defence.

Reyes Ortiz says, with the brevity of a defiinite resolution:

«I have the honour of sending vou a certified copy of the report which, with yesterday's date, I received from the Finance Minister, in which you will see the weighty reasons obliging the Government of this Republic to take a different view from that advanced by you *on the claim* of the «Compañia Chilena de Salitres,» *and to order, in consequence, the faithful execution of the law dictated by the National Assembly of February 14th of present year*».

Doria Medina sustained the view that the question raised by the tax law was not one of public right, but of private order, founded upon the fact that the Company lost, with the fall of Melgarejo, the concessions granted to it by him, because an Assembly elected by the chief of the successful muting declared all his acts null.

Bolivia states that it is internal, no diplomatic matter.

«The transaction,» he said, «celebrated by the Government that succeeded Melgarejo was a new, private act, in which the Government, owning the nitrate lands, freely fixed the conditions in ceding them to a private person. In order to celebrate this, the Government had the authorisation of the Assembly, but within limits and subject to the obligation of rendering an account of the agreement arrived at. On being informed of the transaction, the Assembly, making use of its rights, approved the transaction, always on the understanding that the Company should accept the duty of ten cents per Spanish quintal.

«This arranguement», he added, «was in no way connected whit the Treaty of 1874, because it was a bargain

between two parties, voluntary on both sides, the price of renting the ground being fixed by the owner». The base of all Doria's argument rested an the scheme of giving the Company's claim the character of an incident wihin the range of the Courts, not of the Foreign Office But was it really of a private character? Are the acts of a Government *private* that annull rights that have emanated from the public authority?

President Melgarejo ruled Bolivia in the same manner as his forerunners and those who succeeded him, and a mutiny was not a sufficient cause for saying that his had not been a *government*, and to qualify his acts as being of a *private* character.

If the concession granted by Melgarejo to the foreign companies compromised the good faith of the state the specious argumentation of the Bolivian Minister fell to the ground. If the doctrine of Doria Medina was accepted, the Treaty of 1874 excluded from its protection the «Compañía de Salitres de Antofagasta», from which it followed that all the Chilean interests were covered by it saving this only, whereas the Treaty was made on her behalf and for the mineral district of Caracoles.

Uselessness of the Treaty of 1873.

The exemption from taxes covered «persons, industries and capital of Chilean origin» and now by means of sophisms it followed that there should be excluded from this category the biggest asembly ef Chilean individuals; the chief industry and most important amount of invested capital. Was

it worth while making Treaties if they were to he respected after this fashion?

Daza orders the tax to be collected.

As the Note of Lanza said that the Government was resolved to collect the tax, Videla wrote to him officially asking whether it was his determination to require compliance instantly or if he would have the prudence to wait to see if Santiago would consider the argument of Doria Medina, to which enquiry Lanza answered that he had ordered the Prefect of Antofagasta to carry out the collection. It was impossible to have proceeded in a manner less diplomatic.

Videla then complied with his instructions, stating in a mild but firm manner that «the execution of the law» meant the rupture of the Treaty of 1874.

The reply of Daza was to order the Prefect of Antofagasta to oblige the Chilean Company to pay the tax from February 14th, 1878, the date of the resolution of the Assembly.

When this order was received on the coast nothing was known there of the diplomatic action in La Paz, but it was known that a negotiation was pending, so that when the Prefect, Colonel Don Severino Zapata, set to work to collect by force the tax from the Company, the Consul General of Chile, Don Salvador Reyes, requested him to postpone the measure for some days until the Government had arrived at some agreement.

The Chilean Consul fears a rising of Chilean Workmen.

He begged him not to resort to violent measures which «might bring about a very grave situation for both Republics.» The consul

alluded to what might occur in Antofagasta, where the Bolivian authorities had only few policemen available to deal with a population of thousands of Chileans.

The Prefect, however, was inflexible. One can understand the agitation occasioned throughout Chile by the turn which Daza gave to the claim. The country felt itself insulted...

The Compañía de Salitres brought all its influence to bear to stir up public opinion, and as that which in the beginning had been a controversy over matters of right became a question of respect, of honour, the Government was unable to remain indifferent or maintain a lukewarm attitude without leaving it established that its word and influence merited no consideration in La Paz. In face of these considerations a definite resolution was taken.

Chile proposes arbitration, January 3rd, 1879

The order of the Bolivian Government to Zapata was dated December 17th; the resolution of Chile bears date January 3rd. In this Chile proposes for the last time that they should continue to debate the point, or submit it to arbitration, meanwhile postponing the execution of the law.

Arbitration is provided for in the Treaty.

«All questions», it says, «to which the understanding or execution of the Treaty may give rise shall be submitted to Arbitration.»

Lanza invoked arbitration in a note dated the 26th of December, which crossed another of the same tenor from Chile dated a few days later. The note of January

3rd already cited was written with no knowledge of the other, because no telegraphic communicátion existed between Santiago and La Paz.

The Telegraph Extended only from Santiago to Caldera.

For this reason there is a discrepancy between what was done in Bolivia and in Antofagasta and that which was resolved upon in Chile, which would not have happened if there had been telegraphie communication between the two points: for then the Government, in touch with what was taking place in one or the other place, would have instructed its representatives to act simultaneously, with one accord and would have controlled events from Santiago. Due to this however, there were three centers of action, —La Paz, Santiago and Antofagasta, a fact which introduced a certain confusion into affairs.

In this manner is explained why Lanza, having indi cated Arbitration to avoid conflict, on December 26th, the Government of Chile, en its own initiative, asked for it on the 3rd of January.

The Government of Chile accepted the idea that an arbiter with the facts before him should say whether it was allowable to burden the Company with the proposed tax, and Daza imposed as a preliminary condition that the law should be put ín action before the arbitration took place. Apparently this difficulty brought to naught the hopes of those who still thought that the conflict tould be settled by such means. I say, apparently, because Daza was seeking war in order to break the treaties and to recuperate, with the aid of the Peruvian fleet the nitrate region up to the 26th parallel.

Acts of violence in Antofagasta and La Paz

The *Blanco* in Antofagasta.

The diplomatic debate degenerated into acts of violence. The Government ordered our ironclads which were in Lota to proceed to Caldera, an one of them, the *Blanco Encalada*, was dispatched to Antofagasta where its presence prevented many evils, because the Chilean population, seeing that it was protected, remained quite tranquil.

On the 6th of January Zapata notified the Salitre Company to pay the tax dating from the emission of the law, but, as the order was not complied with, on the 11th he proceeded to embargo the company's efects, issuing the following decree:

The financial official, José Felix Valda will arrest and conduct to the public prison George Hicks, Manager and representative of the Compañía de Salitres y Ferrocarril de Antofagasta, debtor to the Treasury of the sum of 90,848 Bolivianos 13 centavos.»

Order of arrest against Hicks.

The manager fled inland. The Company stopped working, leaving 2,000 men out of work. The measures adopted in La Paz were no less grave.

The Chilean *Charge d' Affairs* formulated his proposition of Arbitration on the 20th of January, stating his wish that matters should return to the condition prior to the execution of the law, and he asked for an immediate reply because the affair was now on a footing which could not be prolonged without affecting the dignity of Chile.

In the acute period of the debate, Peru had accredited as Minister to Bolivia don José Luis Quiñones, who lived in close contact with the President as is known by his secret correspondence, which has been published. (Vol. II *Guerra del Pacifico*. Ahumada Moreno).

The Peruvian Minister Quiñones.

When Videla made his last effort of a friendly character, Quiñones wrote to his Government respecting Daza's attitude at that moment:

«Through various members of the Government and trustworthy persons, especially Señor Doria Medina, I know that His Excellency General Daza and his Cabinet are resolved not to cede a point in the course which they have given to the question, even if the Chilean Government forcibly occupies all the coast-line of this Republic, because they wish to take advantage of the fact that Chile would have declared the Treaties broken and the matter would remain in the same state as before 1866, in order to obtain, whether by diplomacy or by force, a Treaty which would take into account Bolivian sovereignty and rights on the coast-line, sovereignty and rights which according to the Treaties of 1866 and 1874 are a mere mockery: counting for this on the justice of their cause and on the loyalty of the Peruvian Government in complying with the secret Compact of Alliance of February 6th, 1873.»

Pushed on, probably, by the Peruvian Minister, Daza began a policy of attacks, agreeable to the procedure made use of in his domestic government, and dictacted a decree, signed by all his Ministers on February 1st saying, in substance that supposing that the Company failed to accept the transaction celebrated in November, 1873, it was cancelled «and *the Salitre lands retained by*

the Company were reivindicated.» The claim turned on the question of a tax, and now the whole of the effects were confiscated.

Significative letter of General Daza

This same day Daza wrote a letter to Prefect Zapata which gives some idea of his grade of culture, the letter being intercepted by Colonel Sotomayor in Antofagasta.

«I have good news for you. I have diddled the Gringos (referring to Mr. Hicks) decreeing the reversion of the nitrate grounds, and they can't take them away from us if they stir up the whole world. I don't think that Chile will intervene in the matter,— but if she declares war on us we count on the aid of Peru, from whom we shall demand compliance with the Secret Treaty. With this object I am going to send Reyes Ortiz to Lima. Now you see I am giving you good news that you will have to thank me for eternally, and as I tell you, the Gringos are completely diddled (completamente fregados) and the Chileans can only bite and shout.» (morder y reclamar nada más). (1)

The decree was kept private for some days whilst the journey of Reyes Ortiz to Lima was arranged, this diplomat going, as announced in this letter, to require of Peru compliance with the Secret Treaty, which once obtained, he would return to Antofagasta to take possession of the Company's property.

The confident of Daza, Quiñones, relates a curious

(1) Colonel Sotomayor sent the letter to the President with this comment: «On the arrival of the steamer from the north the letter herewith fell into my hands. This document is of great importance and an absolute proof of negotiations with Peru. 18th February, 1879.»

incident that occurred before the publication of the decree. He states that the Minister Lanza called him to his office and with the Secret Treaty in hand made him this proposal which renders evident the fact that he understood well enough the range of Peru's economic policy.

Always the nitrate question

«He said», writes Quiñones, «that the desire of the Bolivian Government was to give preference to her sister and ally, the Republic of Peru, in the exploitation of her nitrate grounds on the coast-line, with the object of avoiding competition in the working of those which she possessed.

«I returned thanks», adds Quiñones. «with all the effussion which patriotism inspired for the benevolent ideas expressed in favour of Peruvian interests.»

With regard to the journey of Reyes Ortiz to Lima, he confirms the idea that it was to ask the adhesion of Peru in the war against Chile, and he further adds:

«Once he knows what to expect with regard to the attitude of the Peruvian Government, Reyes Ortiz will proceed to the Bolivian coast in order to organise the forces necessary to throw the Hicks' Company out of Antofagasta and recover the nitrate grounds».

Lanza replaced by Mendez

The Minister Lanza communicated to the Chilean *Chargé d'Affiairs* the Decree of resumption of the Nitrate grounds, adding that the law which gave rise to the controversy being derogated, recourse might be had

to arbitration as stipulated in the Treaties in force. The Dictator fell into a fury over that postscript and deprived Lanza of his post, naming as Minister in his place a journalist named Don Julio Mendez, who owed his notoriety to the virulence of his attacks on Chile.

The Chilean Government, ignorant of what had happened in La Paz owing to the incoherence resulting from the lack of telegraphic communication of which we have spoken, expected still the 5th of February to find some honourable solution of the imminent confiict, and issued instructions in this sense to Videla, recommending him to renew the negotiation or resort to arbitration, making this decorous road as easy as possible to Bolivia since she was a weak country (1).

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(1) February 5th. Guided by a sincere spirit of conciliation and having before us the fact that Bolivia is relatively a weak nation, we have believed that by suspending the collection of the taxes still, we may open and continue the diplomatic discussion interrupted by that Government in order to arrive, by this method, at an amicable settlement, or, if this course is not open, to constitute an arbitration according to the protocol annexed to the compact. In this manner we shall show most eloquently that Chile, so far as is conducive with her honour, prefers pacific solutions and is disposed to comply faithfully and nobly with her international compromises.

«I desire that you should fully comprehend the spirit of my Government in order that Bolivia may retrace her steps and comply strictly with the obligations of the pact of 1874. You will do all in your power to open the road in a honourable and satisfactory manner that will lead to this happy result.»

This note, which I have never seen published, can be found in the *Copiador de Relaciones Exteriores.*

Two days after the dispatch of this document, a telegram was received from our Consul in Antofagasta, sent on from Caldera, giving warning that the authorities were about to proceed to the sale by auction of the goods of the Compañia de Salîtres.

The acquisition of the property of the Company by citizens of a foreign power was an eventuality that the Government of Chile had to prevent at all costs, has instead of a conflict with Bolivia we would have had one with a great nation.

The last steps

Videla's ultimatum

When Videla received the decree of confiscation of the goods of the Company he sent an ultimatum asking that within a term of 48 hours Bolivia would decide whether to submit the decision of the conflict to arbitration as Chile desired.

This document is dated February 8th. Even yet the confiscation of the nitrate grounds was unknown in Santiago. The last news received had been to the effect that an auction of the goods of the company was about to be held because it refused to pay the ninety thousand pesos odd claimed on the salitre exported. The Ministry was at one in the intention to occupy Antofagasta rather than to permit such an outrage.

The energetic attitude of Prats had triumphed over the opinion of the President, who feared to take a step which opened such grave perspectives to his admistration.

Troops sent to Caldera. Troops were sent to Caldera where the *Cochrane* remained in telegraphic communication with the Government.

Three days later, on the 11th. the news of the decree confiscating the salitre grounds arrived, a measure that filled the cup that now ran over on all sides. The Government on the same day despatched the following telegram to Videla: «*Retire inmediately.*»

Videla had asked for his passports on the 12th of February and as they had not been sent to him, he suspended his diplomatic functions on that day and severed all relations with the Bolivian Government. His last note contains this declaration which embodies the juridical doctrine over the reocupation of the coastline:

«The Treaty of August 6th, 1874, being broken, through failure on the part of Bolivia to comply with her obligations therein stipulated, the rights of Chile to the territory, which rights had legitimate value before the Treaty of 1866, are reborn.

«In consequence, the Government of Cnile will carry out all the acts which it considers necessary for the defence of its rights and the Government of Bolivia must only see in them the logical result of the rupture which it has provoked and of its repeated refusal to seek a just solution equitable and honourable to both countries.»

The Chilean Cabinet and the occupation of Antofagasta

Prats cabinet The Prats Cabinet did not think that the situation would arrive at its present state. It belie-

ved that Bolivia would give way before the justice of our claim and before the consciousness of her own weakness. In this belief it adjourned for the summer vacation. The President was in Valparaiso, Prats in San Bernardo.

Attitude of Prats

In face of the Decree that put the effects of the Company up to auction, Prats wrote to the Minister of War the following letter.

«February 8th. My friend:— Today I wrote to Pinto telling him that we should prevent the auction and, if necessary, occupy Antofagasta. Do not give way for anything. It would be a disgrace. Your friend counsels promptness and energy.

«Postscript: Today I wrote to Pinto and to Fierro in the same sense. You know that Pinto is an optimist. Put yourselves in agreement. As far as I am concerned, I consider it necessary at once to devote our whole attention to the occupation of Antofagasta, which should be done unless the embargo is raised and everything returned to the state it was in before the first requisition was made by the local authorities.

«I told Fierro that we shall have to emigrate from Chile if the Bolivians get the laugh of us. I also advise the sending of a Chargé d'Affairs to Quito in case of any indication of Peruvian intervention.»

Colonel Sotomayor is ordered to land in Antofagasta.

After the council of the Ministry to which this letter refers, the confiscation of the nitrate lands was known, and it was ordered that the *Cochrane* and the *O'Higgins* should proceed to Antofagasta carrying two landing parties under the command of Colonel Don Emilio Sotomayor, Chief of the Military School, to take possession of the town before the auction was carried out.

In the final paragraph of Prat's letter an allusion to the intromission of Peru in the contest will be noticed. The generality considered that Bolivia would not have assumed so provocative an attitude without counting on Peruvian aid.

The Ministry announced the intention of occupying Antofagasta in the following telegraphic circular addressed to all the Intendencias in the country.

«The Government of Bolivia, taking no heed of our claims has decreed the expropriation of our national property, taking possession of the nitrate district without any explanation whatsoever. The Government of Chile has withdrawn our Minister and the troops of the Republic are on their way to occupy Antofagasta and the other necessary positions.—*Belisario Prats*».

Landing in Antofagasta

On the 14th of February in the morning a squadron composed of the *Blanco*, the *Cochrane* and the *O'Higgins* anchored in the Bay of Antofagasta. At 8 a. m. Colonel Sotomayor sent an emissary to communicate to the Prefect Zapata that he was about to take possession of the port, and as this had only forty policemen, he limited his action to the formulation of a protest, and retired to the house of the Peruvian Consul. In the meantime, two companies under commaud of Colonel Sotomayor, one of marine artillery and the other of field artillery, commanded by its captain, Don Exequiel Fuentes, were landed.

Whilst the launches crossed the waters between the anchorage and the mole, the town was decorated with Chilean flags of all dimensions and the people accompa-

nied the troops cheering, right up to the barrack that was to serve as their lodging. The country received the news with great enthusiasm. The attitude of the Government was applauded in the press, in the groups and in meetings.

The Ministry felt itself strengthened by this warn support wich hailed a clear policy. Public instinct foresaw the trouble with Peru, and understood that the moment had arrived for the Republic to seek inspiration in the heroic pages of 1820 and 1838.

Peru and the occupation of Antofagasta
The Lavalle mission

Public opinion in Lima and Santiago in front of the occupation of Antofagasta.

At the beginning of 1879 Don Pedro Paz Soldan y Unanue represented Peru in Chile as *Chargé d'Affairs*, a distinguished poet who wrote over the pseudonym *Juan de Arona*, whilst as Consul General in Valparaiso there was another well-known literary man, Don Luis F. Marquez.

When the difference with Bolivia arrived at its acute phase, the Peruvian Agent requested an interview with the President in which Pinto offered, in case of the difficulties arriving at the extremity which he foresaw, to warn him in good time so that he might take the steps necessary in the name of his country.

The order for the occupation of Antofagasta being given, Don Alejandro Fierro invited Paz Soldan to his office and communicated to him the resolution that had

been adopted. Paz Soldan offered the good offices of Peru, asking that the execution of the measure might be postponed for a few days, which offer, however, Fierro refused «with invariable though courteous firmness» pointing out that Chile looked on the decree ordering seizure of the effects of the Company as an insult to the just claims of the nation.

On leaving him, Paz Soldan sent the following telegram to his Government:

«Chile considers the good offices of Peru unacceptable: she is occupying up to 23°».

Beginnings of agitation in Lima

Up to that time the attitude of the public in Lima had been tranquil. The press in general recognised that in the contest over Antofagasta the right lay with Chile, an opinion that was confirmed when arbitration was proposed. But on the receipt of Paz Soldan's telegram public opinion pronounced its verdict against us at once in a definite manner, and fury knew no limits when the occupation of Antofagasta was known.

This anger was peculiar to Lima and to the nitrate people rather than to the Peruvians. The capital dragged the provinces into the war and communicated its warlike ardour with difficulty, because the interests at stake were matters of indifference to them—not so to the Lima gentlemen, who exploited the nitratre districts in partnership with the treasury.

The movement of hostility towards Chile was headed by the civilist party formed by Pardo and ruled by him whilst he lived.

The President was a peace partisan, but had at his side ministers who represented the warlike tendencies of the higher social ranks, noteworthy exponents of this tendency being, in the Government, Corrales Melgar; the Minister of Justice, Don Mariano Felipe Paz Soldan and the Minister of Foreign Affairs, Don Manuel Irigoyen, ex-Minister in Buenos Aires, where he had been sent to negotiate the Triple Alliance.

In Chile public opinion recognised from the very first that the contest with Bolivia would spread to Peru. Valparaiso, which had suffered so much from Pardo's measures, sounded the warlike note because it understood better than any other city in the country the importance of the Nitrate question.

The President, on the other hand, vehemently desired peace, and in order to show the falsity of the legend that the war of the Pacific was a plan meditated and prepared by the Chilean Government, I copy here the private orders which Pinto gave to our Minister Plenipotentiary in Lima respecting the occupation of Antofagasta, inviting Peru to act as mediator.

«February 21st. If Peru in this question», said Pinto, «does not allow herself to be carried away by the impulse of a hatred which is in no sense justified. she has the opportunity of exercising an elevated and noble mission. Whe have not taken possession of the coast-line like flibusters, we have gone there obliged by the necessity of defending our violated rights, and because the outrageous conduct of Bolivia has closed the door to any other solution. In taking this measure, though an imperions necessity impelled us, we have ever been ready to accept any solution that would re-establish good relations between Chile and Bo-

livia. To work for this end is the mission which falls to Peru by reason of her geographical situation and close relations with Chile and Bolivia.

«Although we are still far from any settlement of the conflict between this country and Bolivia, I believe that, once established on the coast-line, it will be impossible for us to abandon it. The population of this territory, as you know, is mainly Chilean, and the interests established there are entirely Chilean. To this may be added the fact that the cession we made of this territory to Bolivia has never been approved by the public opinion of this country. To return to Bolivia the territory comprehended between the 23º and 24º would be considered here as the delivery of one of our provinces to a foreign power.

«The only arrangement possible would be one in which we remained masters of this region in compensation of a sum of money. Such is the only solution that would re-establish relations between the two countries in a stable and cordial manner.»

This letter, by reason of the high position of the personage who signed it and of him to whom it was directed, constitutes definite instructions which reveal how far the President of Chile was from following out a treacherously laid plan directed against Peru.

Peru sends Lavalle to gain time for arming herself

Reyes Ortiz and the Minister Godoy

It will be remembered that the Bolivian Minister, Don Serapio Reyes Ortiz, left La Paz for Lima in order to request compliance with the secret compact, to return afterwards to Antofagasta to take possession of the goods of the Compañia

de Salitres and to expel its directorate. The news of the occupation of this town surprised him in Lima.

Don Joaquin Godoy then represented Chile in Peru, a man experienced in the *finesse* of diplomacy, endowed also with distinguished talent and vigorous patriotism. If Godoy had rendered no further services to the nation after this time, they would suffice to assign him the rank of an eminent citizen.

Godoy discovered the object of the journey of Reyes Ortiz and the gift which he offered to Peru in exchange for her alliance. In one of his interesting despatches, he communicated to Santiago that Reyes Ortiz was in Lima attempting to gain the aid of the country on the base of the Secret Treaty, and offering to cede to Peru for a century the whole nitrate region then in her power and that which Bolivia hoped to gain with her aid, news that confirmed what Quiñones, the Peruvian plenipotentiary in La Paz had commnnicated to his government, as I made knowu to the reader in the previous chapter. (1)

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(1) «According to revelations which I consider to be worthy of confidence by reason of their origin,» said Godoy, «the Bolivian Government is stimulating Peru earnestly towards a declaration against Chile, not only recalling the pact which joins the two countries, but taking advantage of the covetous interest with which Peru regards the Antofagasta nitrate district. Previously, Bolivia had offered Peru the usufruct, gratuitously, for 99 years of the Toco grounds, now, according to the revelations referred to above, she promises her in the same terms the usufruct of all the *salitreras* in the territory of which she holds possession, and of those which she hopes to recover with the aid of Peru».

The offer of Reyes Ortiz placed the Government of Peru in a dilemma, because on one side it felt the pressure from and desire to please the directing leaders who were anxious for war, whilst on the other hand fears assaulted it. The maritime superiority of Peru was not clear. It will probably not have been forgotten that Pardo, when he knew that the Chilean ironclads had sailed from England, altered the course of his policy changing its former warlike aspect to one as definitely pacific. Councils of naval men were held in the President's cabinet, in which were broadly discussed the power of both fleets and the probabilities of triumph, at which councils were present Don Aurelio Garcia y Garcia, Commodore of the Fleet, Captain Don Miguel Grau and others of less importance.

Grau modest and worthy, spoke in favour of peace, basing his view on the superiority of our vessels and sailors, though concluding by saying that he would take whatsoever post of peril was designated to him. Garcia y Garcia controverted him, saying that to the terrible Chilean sailors he would oppose the equally terrible *Chalacos* (inhabitants of Callao) and that in no sense had the Chilean squadron the superiority that Grau attributed to it. Singular contrast, as will be seen when the reader knows more clearly the difference in the conduct of one and the other in the defence of their country.

Lavalle is Nominated Minister Plenipotentiary in Chile.

Resulting from the pressure brought to bear by the Bolivian Minister, a meeting took place in the Ministry of Foreign Affairs

between Irigoyen, Reyes Ortiz and Don Jose Antonio Lavalle, in which Lavalle was nominated as Plenipotentiary in Chile, to offer the mediation of Peru, Antofagasta to be first evacuated, Peru promising to declare war in the event of this demand being refused, taking stand on the Secret Treaty. (1)

The objet of Lavalle's journey was to gain time to repair the ships, to purchase others, taking advantage of the fact that Peru was still at peace, and to obtain the alliance of the Argentine Republic. His instructions charged him to offer to Chile the mediation of Peru subject to the following conditions:

Evacuation of the coast-line; derogation of the law which taxed the salitre and of the decree that took over the property; these measures to be submitted to arbitration.

The mission of Lavalle undertaken, I repeat, in order to gain time, was necessary in order to hide the Secret Treaty and to foster the doubts which the Chilean Government held as to its existence, since on any other ground it would have been impossible to reconcile the double task of mediator and ally.

Haste of Prado to Purchase Ships.

The fact is proved, moreover, by the haste shown by Prado, to secure that during this mission, the Vice President of Peru, who was in Europe, should purchase *at any price* ironclads

(1) The presence of Lavalle in this meeting is proved in his Instructions, of which I have the originals, and which Ahumada Moreno has published in his compilation of documents entitled «Guerra del Pacífico,» Vol. 3.°, page 3.

and torpedoes, contract officers for the ships and as soon as possible put them beyond the action of foreign governments (1).

When the Peruvian Government sent off Lavalle it had already decided on war, and said as much in private despatches. It knew very well that the evacuation of Antofagasta was a demand that Chile could not accept. Moreover, it was not ignorant of the fact that the Government of Pinto could not have done it even had it so desired. There was in Antofagasta and Caracoles a Chilean working population of from five to six thousand miners, who were waiting a favourable opportunity to rise against the feeble Bolivian forces of the coast-line, in case the Chilean Government abandoned them to their fate, and it would have been sufficient for a single drop of blood to have flowed to cause the country, on fire as it was, to make common cause with its compatriots. To this difficulty. Pinto alluded in his letter of instructions to Godoy, above cited, when he said that the devolution of Antofagasta would be looked on in Chile as the handing over of one of the Provinces.

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(1) I have here these documents, hitherto unknown.

«February 28th.—«Buy at once, cost what they may, one or two ironclads, better or at least equal to those of Chile. Obtain the funds somehow. Communicate this to Aranibar. Send out via Panama, per first steamer four first class quartermasters and twelve Whitehead torpedoes with a man familiar with their use.—*Prado*».

«March 4th.—If you can find no ironclad ready for sea, better or equal to the Chilean, in England, have a look at the Italian ones, the «Rome» or something better. When purchased fly the Peruvian flag at once, giving the vessel the name «Amazonas».—*Prado.*»

The Peruvian Cabinet Resolved to Declare War.

The policy of Daza had given a deep and perilous wound to Chilean national feeling. It is not strange therefore, that Peru, on the arrival of Lavalle in Chile, gave notice secretly to its agents abroad that in a few days more war would be declared (1).

Another of the objects of the Lavalle Mission was to have time to secure the Argentine alliance, or in its defect an agreement as to subsidies such as the loan of some of her warships or a simulated sale of them, Peru binding herself to return them, and her own as well when required against Chile. According to the Peruvian Government, Argentine could effect any of these operations in conformity with law and without violation of neutrality.

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(1) Private document of Irigoyen, Minister of Foreign Affairs. March 5th: It is a sure thing that if, as generally feared, Peru does not obtain from Chile the acceptance of her mediation as proposed and this purpose suffers the same fate as the offer of good offices, the Mission in charge of Señor Lavalle then resulting sterile, *the Government will have war bypэuvpэp the time this communication arrives in your hands.*

«It is certain, I repeat, that from one moment to another Bolivia will declare war on Chile. If it is true that such situation affects only the Bolivian diplomatic agents who will try to impede Chile from arming herself in Europe, and that your attitude can only be a waiting one, none the less, as I have shown, you should take advantage of the time to make all preparations to render impossible the exportation of all articles constituting contraband of war, in prevision of the emergency that Peru may see herself obliged to take part in the conflict. *And now I may assure you that there are powerful reasons for supposing that emergency may become matter of fact to-morrow*».

The diplomatic agent who was to realise this miracle of balancing was La Torre, ex Minister in Bolivia, at present Peruvian agent in Buenos Aires (1).

Chilean opinion divided about war.

Minister Lavalle.

Don Jose Antonio Lavalle belonged to the highest classes of Lima. He was a brother-in-law of don Manuel Pardo and was related to the Argentine family of the same name. He was a sagaciuos diplomat, acute, of facile speech and of distinguished manners.

He had figured in politics, filling important posts as that of chief of the Parliamentary Commission for foreign affairs from the year 74 onwards. Later he re-

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(1) La Torre's private instructions. March 7th. «I leave it to your intelligence», says Irigoyen to him, «to make it clear that a treatry of subsidies does not break neutrality, neither alters in any respect the international relations of countries celebrating them with respect to a third power with which one of them may enter on war, as established by the principles of international law. Since no state of war exists between Peru and Chile the Argentine Republic can agree to such a compact without failing in neutrality if she wishes to conserve it.

«If the Government will accept none of these measures, you may suggest the purchase of one or two of her ironclads, which would be made through a third party and with the necessary privacy, consulting always complete reciprocity on the part of Peru so that if by chance the Argentine Republic sees itself in the necessity of making use of its fleet later on, Peru will bind herself to sell her back the same ships and also to place at her disposal one or two Peruvian ironclads.»

presented his country in Berlin and in St. Petersburg. His skill will be proved in the pages to follow. Lavalle, during his difficult mission in Chile dealt with all obstacles with sagacity and skill as though juggling with glasses, breaking none of them.

Two currents fought in Chile at that time, pushing against one another with violence: on one side the people, the masses, that entity which cannot be measured, great as the sea, liable like the sea to sudden tempests: on the other the leading persons of the directing class, like Santa María, Varas, Montt etc., at the head of them the President don Anibal Pinto, who contemplated the possibility of a war with Peru with the profoundest aversion, because the public finances were on the verge of bankruptcy.

Prats inclined towards war.

As in Peru, the President had at his side Ministers who sympathised with the popular mood. The chief, among these was Prats, the Minister of Interior, who, with a clear vision of the situation, made no secret of his opinion that Lavalle should be treated with courtesy, giving him a peremptory time limit in which to declare the neutrality of Peru, and, not accepting this, he should be given his passports. For this reason it will be seen that the President sought his auxiliaries during the Lavalle Mission outside the Cabinet. In sympathy with the popular attitude, the clever Minister Godoy, supported it from Lima with his opportune reports and farseeing warnings.

Lavalle arrived in Valparaiso on the 4th of March. On this day Godoy telegraphed:

«Squadron, army and batteries in Callao getting ready.»

Optimism of President Pinto.

The President dit not believe that Peru would take part in the struggle. He was unable to comprehend what interest could induce her to attempt such adventure, when her fiscal difficulties were greater than those of Chile. Before the occupation of Antofagasta, he wrote to Saavedra, the Minister of War:

«February 6th. I find it very difficult to believe that Peru will take a hand in our contest with Bolivia.

«It is not for Peru to think of helping her neighbour. Her political situation is very precarious, her finances in worse state than ours.»

The point on which the two currents of opinion that I have mentioned, clashed together was the Secret Treaty. The defenders of the peace policy denied its existence, and as nobody had seen it, and only vague and incomplete information was to be obtained about it, nobody could cathegorically affirm its existence.

Agitation in Chile.

The two principal journals of Valparaiso headed popular sentiment: *El Mercurio* and *La Patria*, the latter edited by don Isidoro Errazuriz. Daily in its columns the statement was affirmed that Peru was allied to Bolivia by some compact. The public, which has its wisdom, divined what was hidden, and invaded the diplomatic territory like an angry sea.

The day of Lavalle's arrival in Valparaiso a meeting was held terminating in the following farseeing resolution:

«Not to accept the mediation of Peru until its Government has

torn up the compact against us which has been signed with Bolivia and until, laying aside her warlike preparations, Peru shows us by her acts her sincere desire to remain neutral in the present conflict with Bolivia.»

Attack on the Peruvian Consulate in Valparaiso

A number of people present at the meeting went to the Peruvian consulate and stoned its escutcheon. The Intendente of Valparaiso, don Eulogio Altamirano hastened with the police to defend the Consulate, the Government gave satisfaction to Consul Marquez, and the Minister of Justice ordered the criminal judge in Valparaiso to take due proceedings.

Lavalle was not present at this prologue to his mission, because he had gone to Santiago directly he came ashore, but he, as well as Marquez understood perfectly the sentiment of the populace.

Lavalle atributes the popular exitement to a supposed secret treaty.

Lavalle informed his Government that this outbreak proceeded from the belief in the Secret Treaty.

«They attribute treason to us in presenting ourselves in the guise of mediators bewteen Bolivia and Chile when we are bound to follow the first in her hostilities against the second.»

Marquez, with respect to the attitude of Valparaiso, wrote to Lavalle:

«Here there is a manifest desire to provoke a conflict with Peru and a fear that mediation will put it off, giving time for Peru to arm.»

Lavalle received in Santiago, on the day following his arrival, a visit from don Domingo Santa María, an old friend of his, whom Pinto had charged to get into touch

with him. Santa María did not form part of the Government, but was an individual prominent by reason of his talent, his political position and the close relations which he cultivated with the President, today still closer on account of their common aversion to war.

Santa María and Lavalle.

In his first visit Santa María notified Lavalle that before beginning any negotiation, the Government required a definite assurance with regard to the Secret Treaty. I do not know what Lavalle answered, but the impression which Santa María gathered in this interview was favourable.

«From what Santa María has told me,» wrote Pinto, «and other persons who have talked with Lavalle, he is animated with *the best spirit*».

Definite report from Godoy.

Whilst the friends of peace were obstinately denying the existence of the Secret Treaty, our Legation in Lima daily gained new confirmations and transmitted them to Santiago, so that the conviction of the country was strengthened and hope proportionally weakened. I might give many details of the information, direct or indirect which in this sense Godoy forwarded. In Lima lived in inmediate contact with him, don Abelardo Núñez, whose communications might be considered official and emanating from the office of the Ministry, since on various occasions when Godoy could not manage to write personally for lack of time, Núñez did so in his name.

Such was the certainty that the Legation held as to the reality of the Secret Treaty that it even offered to send to the Government a copy which, for payment, a

certain foreigner who lived on intimate relations with the Government would hand over, and although he was not able to do this the information which he gave was so exact that one may be certain that he who supplied it had read the Secret Treaty (1).

Pacific tendencies in the Council of state.

The attitude of Godoy, nothwithstanding, did not succeed in diverting the energetic and powerful current towards peace. The opposing tendencies came inct conta in the Council of State, and by a singular coincidence the President appeared as an opponent with occasion of a Ministerial measure to organize the administrative and judicial territory situated south of the 23° parallel which Chile had announced her intention of recovering, since Daza broke the Treaty of 1874 by imposing the tax on nitrate. Legally, the measure was exempt from criticism, since if that territory was Chilean, as the Government had stated in ministerial circulars directed to all the nations, it was right to organise it, giving it the proper authorities. But to do so at the moment showed a resolution not to accede to

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(1) «February 28.—I am sorry to say», wrote Núñez to Saavedra, «that up to the present I have been unable to obtain an authentic copy of the Secret Treaty agreed upon in 1873 between Peru and Bolivia, but I can give the assurance, from what has been told me by a responsible person who has read it, that in it there are these two stipulations.—(1st.) that Peru preserves the right of declaring when she considers a *casus foederis* to have arrived. that is to say, a moment to intervene in favour of the ally: (2) that Bolivia binds herself not to celebrate boundary treaties or any international pact without informing the Government of Peru». (Saavedra papers).

the demands of Peru, and to frustrate the Lavalle Mission, in which the friends of peace still placed their hopes.

When the idea was presented to the Council of State, therefore, Varas opposed it, saying that it would close the door to any friendly solution, and his opposition was seconded by Santa María, don Victorino Lastarria and don Melchor de Santiago Concha.

A new session was held with the same object in which no resolution on the point was arrived at. The first was on March 7th, the second on the 13th.

Lavalle might have prevented the war.

This opposition between the people and a select portion of the upper class, would have given Lavalle a decorous means of preventing the war, if he had wished to do so, but his mission had no other object than to gain time to repair ships, buy others and compact alliances.

In the same days when these incidents occurred, Godoy telegraphed. -

«Mission Lavalle has for its object to gain time. Government believes that it can count on Italian ironclad.»

Under such auspices, or rather these contrary courses, the Peruvian Plenipotentiary initiated his mission (1).

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(1) Pinto gave an account to Saavedra of what had happened at the first meeting of the Council of State. «March 9th. On Thursday the Council of State met. There were present don Melchor Concha, don Antonio Varas, General Godoy, don José Salamanca, Santa María, Sotomayor, Lira, Gandarillas, Larraín and Lastarria. The message calling the Congress to extraordinary session was read indicating that the objet of the convocation was to treat of the political and administrative organisations of the territory included between the 23° and 24° degrees.

First steps of Lavalle

Pinto interviews Lavalle.

Lavalle was invited by Pinto to a private conference. Afterwards, on the same day, he celebrated his first interview with the Minister of Foreign Affairs, don Alejandro Fierro. This took place on March 11th. The conversation of Lavalle with Pinto was tranquil, lofty in tone, in accord with the character and perfect education of the protagonists. Pinto had most correct manners, suitable to the social medium in which he had been born and had lived. He revealed frankly his ardent desire to find some peaceful solution. He referred to the manifestations of adverse opinion, considering them as extravagances of popular lack of information, as opposed to the feelings of «sensible men», a name given by governments to those who think the same as they do.

Lavalle was profus in the same ideas of the President without hiding that the insuperable crux of the difficulty was the taking possession of Antofagasta, that Perú

«Don Antonio Varas observed that the form of the Message might occasion difficulties with neighbouring nations, since it might be deduced from it that we proposed to organise this territory in a definite manner and that we were closing the door against any approximation. He was supported by Concha, Lastarria and Santa María. I observed that it was customary to designate the projects with which the Congress was to deal, but as these projects were not yet drawn up, the message had indicated their general object. Finally, after some discussion it was agreed that the projetcts should be drawn up and should be indicated in the convocation in order to avoid the inconvenient to which don Antonio Varas had drawn attention.

made a preliminary point of evacuation, that Bolivia could not treat, nor Peru advise her to, whilst a portion of her territory was invaded. It was in vain that Pinto observed that the 23° degree, the only part of the coast-line occupied by Chile up to that moment was not Bolivian, but ceded *sub conditione* and now recovered by its first owner. Lavalle entrenched himself in his instructions which ordered him not to cede in this respect. In the first conference it could be seen that there was an insuperable obstacle in the way of peace. Pinto referred transparently to the fear of a revolt in Antofagasta and in Chile, saying:

«That the withdrawal of Chilean forces from the coast would bring about complications which, instead of facilitating an arrangement, would create new, and possibly insuperable difficulties.»

Personal proposition of Lavalle

But Lavalle had not attained the object of his journey, if in view of the impossibility manifest in the first moment he had put a termination to his mission and had not half opened the door to pacific hopes. As Pinto pressed him to seek a means of agreement, he proposed as a personal suggestion, warning him that he was proceeding without the authorization of his government, the following: —

1.° Evacuation of the coast-line and the question of its dominion to be submitted to arbitration, and that it should be settled as to whom it belonged in virtue of the *Uti possidetis* of 1810.

2.° The evacuated territory to be ruled by a municipal administration under the joint protection of Bolivia, Chile and Peru.

3.° The cost of administration having been paid, the fiscal revenue should be shared between Bolivia and Chile.

Unfavourable impression of Pinto

The conference made an unfavourable impression on Pinto. Lavalle tried to sound the impression he had made asking if he could advise Lima that the questions initiated presented a satisfactory aspect. Pinto, with the gravity peculiar to him, answered that he should limit himself to saying «that he had found the greatest good will in his government to arrive at a pacific solution.»

After this conversation with Pinto, Lavalle had his first conference with Fierro, who asked him about the Secret Treaty.

«I have seen nothing»

Lavalle, like St. Francis of old looked at the sleeve of his gown saying «he has not passed by here» and answered that he was not able to say anything certain because he had not been in Congress since 1876, when he was President of the Parliamentary commission of Foreign Affairs. Why should it be presented in 1876, when it was definitely approved in 1873?

Lavalle did not lie, but he failed to tell the truth. He did not lie because as a matter of fact, the Treaty was not the work of the Congress of 1876, but he concealed the truth when putting in doubt the existence of a diplomatic act which he knew in all its details. Fierro, though making no reference to the subtlety of the reply, did not express himself as being satisfied, and the same day he ordered Godoy that he sould ask for a declaration on the part of Peru as regards her present attitude.

«March 11th. If Peru,» he said, «has no desire to maintain the

attitude of common friendship which sacred obligations impose upon her it wil be necessary that she should say so and assume the responsibility of her acts.»

A very suggestive detail. Lavalle had armed himself, before celebrating his first interview, with a despatch for his government which he read to his intimates, in which he asked—«What is the truth as to a certain Secret Treaty said to have been celebrated between Peru and Bolivia in 1873?»

What better argument than this could have been given whereby an advocate of peace might maintain with blind faith fist that there was no such Secret Treaty?

The first of the propositions made by Lavalle to Pinto was to evacuate the coast line and afterwards submit the question of dominion to arbitration. Pinto and Santa María accepted the arbitration, but without previous evacuation. They agreed that Chile should leave Antofagasta by verdict of an arbiter, but not at the demand of Peru.

These conferences still left a bad impression on the negotiators. Lavalle, Pinto and Fierro believed that the conflict was at hand. The unalterable demand of Peru that Chile should abandon the coast-line was, as Pinto said, «an impossibility.»

Proposal to Lavalle to gain time Lavalle tells that on the day following these ocurrences, Santa María came to see him, bringing with him a project, combined with the President and other influential men, to avoid war. This project was to gain time: precisely what he desired —in order to give an oportunity, said Santa María, for

passions to cool and the fury of the press to die down.

With the most wonderful skill Lavalle refused to accept the proposal on the ground that it deeply wounded his patriotism, saying:—

«13th and 14th of March. Having been assured by the press that the object which my Government had in view in sending me to Chile was to gain time to arm itself, I do not wish that in the end, if relations are broken off, there should be any pretext for saying that Peru has pursued a perfidious policy, nor that I have been the instrument of it.»

I do not wish to exaggerate the diplomatic skill of Lavalle, still less do I wish to throw doubt on the clear intelligence of men like Santa María and others. I must declare that these versions emanate from Lavalle but none the less bear the stamp of truth, for they do not form a narrative written *post facto* but are the very notes in which he gave daily account to his government of what was happening.

It may be asked: in the comedy which was being represented may not these advances have been plummets with which the Chilean statesmen sought to sound the spirit of their opponent, in order to find the full depth of the pretentions of Lima? Or were they suggested by their own desires to turn aside from the country a great calamity which took it by surprise, without an army, without preparation and without money?

Whilst these spider webs were being spun in Santiago, the bomb-shell exploded in Lima.

Preparations of Peru

Peru rushes armaments. The patriotic agitation was daily growing in Lima. The attack to the Peruvian Consulate in Valparaíso greately excited the spirits and the warlike spirit of the directing classes passed to all circles of that nervous population raised among revolutions. The press filled her colums with warlike writings and the tone was made more ardent in answer to the heat of the chilean press, specially that of Valparaíso. President Prado—like Pinto—felt himself carried out by the opinion of his Ministers and popular exaltation. The populations all over the Republic held meetings demanding immediate war. Government movilized an army of 6 to 7,000 men, leaving in Lima the raw recruits and sending the best to Iquique under command of colonel Velarde. Transports were travelling between Callao and Iquique with weapons, guns and soldiers, collecting in all the ports the sea-board garrisons and the conscripts from inland.

The fleet concentrated in Callao. The naval authorities dismissed the chileans that were serving in the ships and began enrolling foreign volunteers at high premiums.

Military preparations. Gunners aboard and in the forts had daily gunnery practice encouraged by the president who went every day to see the exercises. The warships were docked in the iron dock that belonged to the english steamship company at Callao, and were cleaned and overhauled, but as they were in sad disrepair, this work could not go as fast as the Government wished. A big

gun was changed in the Independencia and also new boilers were put in, made in the port workshops. While this ebullition of activity went on in the port, the people of Lima paraded the streets asking for war and Lavalle went on in Santiago gaining time with his subtle flexibility and manners above reproach.

Godoy kept the Government posted up to everything that happened and although his informations were kept from publicity, popular sentiment that had invaded all services permitted the news to leak. The telegrams of Godoy—being the expression of the truth—served to undo the task of those that laboriously pushed the rock of peace.

Bolivia declares war.

In these circumnstances Bolivia declared war and precipitated the events. Reyes Ortiz, Bolivian Minister in Peru communicated the declaration of war to the Diplomatic Corps in Lima, taking an unusual step as he was neither accredited to the Governments of his colleagues nor to them personally.

Irregular declaration of war

The correct thing would have been for Bolivia to have made known her, resolution to the foreign agents accredited in La Paz, or, in ist defect, to the Governments, but as the diplomatic representation in that town was of very minor character and the notes of the Foreign Office were slow in arriving at their destination, it was attempted to give publicity to the act by this means, and so give Peru a way of communicating, *urbi et orbe* the state of war with Chile and close the markets of arms and ships.

Godoy, always well informed telegraphed:

"March 14 th. The object of the Bolivian circular is to prevent the sailing of new ships for Chile."

The Peruvian Government sent by cable the declaration of Reyes Ortiz to the United States. The diplomatic Ministers in Lima did not reply to the circular of Reyes Ortiz. The gravity of the matter did not rest in this, but in the fact that Bolivia rendered it possible for Chile to ask the neutrality of Peru so that the Bolivian declaration ressembled a stick thrust between the wheels of the car that Lavalle was pushing in Santiago with such skill and safety.

The case had been discussed between Santa María and Lavalle. The demand to remain neutral in an undeclared war was anticipated, and would have placed Chile in a bad position, but this inconvenience overcome, the demand was natural enough in the presence of a mediator who was hurriedly preparing his means of fighting.

Fierro replied to Godoy's telegram cited above:

"March 14th. Ask for immediate neutrality."

Energetic attitude of Chile

Neutrality demanded of Peru

It does not appear that the Chilean Government attributed to this telegram its real importance. It did not think probably, that the Peruvian resistance was unsurmountable, because, if it had so believed, is incomprehensible that negotiations should be continued with Lavalle over topics of relatively secondary importance.

Godoy, who was in the firing line understood that war would come of this and before carrying out the

order, asked confirmation of it by telegraph, which, being given by Fierro, he sent to the Minister of Foreign Affairs in Lima a note of the highest and most impressive eloquence.

Brilliant note of Godoy

He relates the hurried warlike preparations of Peru on land and sea, her zeal to acquire ships in Europe, the military display in the ships and forts of Callao, the sending of troops to the points where the Chilean and Bolivian forces were gathered, the historic services of Chile to Peru, and in the name of those just fears and these glorious memories, demanded of the Government of Lima that it should declare its neutrality.

He said, "my Government has communicated to me special instructions, to deal with this question to which I am giving faithful obedience, asking your Excellency to have the goodness to put a quick end to this question by giving it the preferential attention that its character demands, and which is necessary in order to dissipate at once the pernicious effects of the alarm dominant in all minds".

The Peruvian Foreign Office did not hasten to answer this note, as it was probably studying the means whereby to turn aside the blow which should define the situation, and during these days of waiting, the negotiations in Chile continued.

Santa Maria declares that such situation cannot continue

Godoy's note was dated March 17th. On the 18th, Santa Maria, who continued to serve as Pinto's intermediary with Lavalle, visited him and made it clear that the situation could not continue. He stated that the President had consulted a

group of influential persons who had answered that the evacuation of Antofagasta was impossible, and that, in face of this statement no other course was open save that Peru should declare her neutrality. Lavalle, seeing the situation so strained, suggested to Santa María an idea which flattered his pride as a negotiator, and indirectly Pinto's also, pointing out that the only person who could prevent war was he. «Go yourself to Lima, said he, and there, in conversation with the Bolivian plenipotentiary, settle in a moment what can never be aranged by means of notes and interviews».

As in times of great excitement the walls speak and news circulate privately from ear to ear, it is not strange that the rumour had reached Lavalle that this idea had been suggested to Pinto by Saavedra and that Pinto had accepted it.

March 16th. Your idea of sending a special commissioner to Lima, said. Pinto to Saavedra, "does not seem a bad one."

On one side the desire for peace and on the other the disgust felt no less by those who fought for it against the Minister in Lima, who continually undid their work with his prophetic announcements, made them desire that a person animated by a different spirit should go to Peru. (1)

(1) Pinto, in spite of being very discreet and reserved, betrayed his displeasure with Godoy, revealing it to Lavalle. This is what the latter told his Government. "March 25th. Before parting, His Excellency told me that Señor Godoy wrote that he was greatly alarmed with the preparations in Peru and with the spirit reigning in the country; that for his part he bore in mind

Pressure was brought to bear on Santa María that he should embark for Peru, but he refused to do so, well understanding that the opportune moment for such a journey had gone by. Pinto then took in hand the question directly with Lavalle and asked him that Peru should declare her neutrality. Lavalle refused, diluting his reply with amiable phrases sugared with his love of peace.

Pinto, realising that the moment of inevitable conflict had arrived, made one last attempt, proposing:

1.º The *statu quo* on the coast-line, without deriving benefits from the occupation.

2.º Put back the boundary question with Bolivia to the point in which it was found before the Treaty of 1866.

3. Submit the questions of dominion to arbitration.

In exchange he offered that Chile would not fortify Mejillones and would "come to an understanding as to the nitrate."

Pinto's direct proposals to Lavalle

Lavalle, fortunately did not acept. The point about Mejillones was excessive; to come to an understanding about nitrate, a seed of difficulties in the future. The first would have left Chile in a specialised condition, her extremities inert with Mejillones and Magellan Straits neutralised, the ports of her

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the character of Señor Godoy and the atmosphere that surrounded him of Chileans in an excited state who saw visions on all sides. I told him that I was gratified that he should judge his representative so correctly and the circumstances in which he found himself."

great spheres of action disarmed. The second required the agreement of three governments in the fixing of the tax in zones of differing quality,—that of Tarapacá, of Tocopilla and Antofagasta-Taltal—in which the type of tax that suited one would ruin the other.

This was the final proposal emanating from the Government made to Lavalle.

Intervention of Lastarria

Afterwards, at the eleventh hour, one of the most influential friends of the Santa Maria circle, and at that time most closely in touch with him, the jurist and publicist Don Jose Victorino Lastarria, got into touch with Lavalle to arrange a solution conceived in the following terms:

Withdrawal of Chilian forces to the south of 23°.

Suspension on the part of Bolivia of the measures against the Compañía de Salitres.

Suspension of armaments in Chile, Peru and Bolivia.

Verdict on the matter by a congress of Plenipotentiaries assembled in Lima.

Lavalle seeing that the ground was sinking, accepted, not so the Ministry which rejected the proposition of Lastarria.

Let us see what fate befell Godoy's note requesting neutrality.

Sotomayor goes north

Prado and Godoy in Chorrillos.

Prado was exceedingly alarmed by the note of Godoy, and invited him to a private interview to tranquilize him and to avoid war,

which he saw approaching with giant strides. Godoy's official version of this conference gives a pale idea of what happened at it. The rigid Minister did not permit himself to relate what happened otherwise than in broad outline.

Dramatic scene between Prado and Godoy.

Prado was nervous and highly excited at the prospect of a war which he did not desire. He received Godoy at night in the fashionable summer resort of Chorrillos, where the breezes perfumed by the flowers mingle with those from the sea, an agreeable place that was destined to suffer more than any other from the terrible sentence that was going to be pronounced that night. Prado walked up and down in an agitated manner. When Godoy entered the room, he said to him, with vehemence:

«What do you mean to say in that note of yours that I have read today?»

«Neutrality or war, General,» answered Godoy in a friendly tone.

«How is it possible for us to go to war?» replied Prado and in a burst of confidence he recalled that he was bound by ties of friendship of the strongest kind to Chilean society, which had welcomed him kindly in the days of his exile.

He added that his own fortune was invested in a coal mining establishment in Chile, to show that he desired peace not only on grounds of gratitude but even of self-interest.

Prado was sincere in talking in this manner. He had travelled to the verge of the abyss, pushed forward by

invisible forces beyond his will and intelligence, and only at the last moment saw the reality which he had helped to materialise, thoughtlessly, instigated by is Ministers and by the public.

Godoy observed that he had it in his power to avoird the war: «Say one single word, General,—«Say: I will remain neutral; and all will finish between Chile and Peru».

«I cannot—I cannot»: answered Prado in an agitated manner, not pausing in his walking to and fro.

As he continued to repeat this phrase «I cannot» Godoy said to him—«And why not, General?»

Prado reveals the existence of the secret treaty.

Prado answered—«Pardo has left me tied up to Bolivia by a Secret Treaty of Alliance:—I cannot».

This was the first official revelation respecting this compact. Later, Prado now calmer, added, that since it was not possible to get away from the Treaty, he would cite Congress to hold sessions in order that it might pronounce upon the question, which was all that could be expected of him; and further, that having a Minister in Chile charged with this negotiation, he would make over to Lavalle the petition of neutrality.

Godoy was far too intelligent not to understand the meaning of this interview. He understood that these outbursts appertained to Prado, this open door towards delay and time to his Ministry. The citation of Congress was for a month later. The reference to Lavalle a new extension of time. Congress, representing public feeling, would have voted for war with acclama-

tion after Peru had had time to run through the Foreign and the naval yards, and pushed forward the pending question of alliance with the Argentine Republic.

After that memorable interview, Godoy, telegraphed:

«March 21. President tolds me last night that he cannot decide as he has a Treaty of Alliance with Bolivia; he must convoke Congress for a decision and charge Lavalle to explain matters to our Government. The comission to Lavalle is an evasion for the purpose of gaining time. The warlike preparations and public clamour continue. I believe it necessary to insist on an immediate declaration and, not obtaining it, to ask for my passports.»

In view of this very grave despatch, a decisive resolution was taken in Santiago. The Secret Teatry could no longer be put in doubt. The hopes of peace were wounded to the heart.

Fierro answered Godoy's telegram to the effect that the petition of neutrality must be answered in Lima, that the immediate abrogation of the Secret Treaty should be demanded, tringyto get knowled of it. At the same time another telegram was sent to the Minister of War who was in Antofagasta, saying:

«March 25th. Have fleet ready, report if anyting is lacking».

The President sent anew for Lavalle and told him that Prado had revealed the existence of the Secret Treaty.

Lavalle only remarked:

«It must be so if His Excellency says so».

Lavalle believed still that it was possible to gain time and asked Lima:

«March 26th. In the possibility of prolonging negotiations or of hastening the rupture. I ask—Which suits best?»

He was answered:

«*Prolong*».

The sagacity of Lavalle failed him this time. The reality of the Secret Treaty being revealed, the shield of peace fell to earth. Up to then what had held it up was the doubt of its existence. Here ended the diplomatic mission of Lavalle. From that moment events were precipitated.

The Council of State approves the message declaring war.

On the 28th of March, the Council of State in secret session approved a message in which the Government solicited from Congress permission to declare war on Peru and Bolivia. On coming out from this sitting, at which Don Rafael Sotomayor was present, the President and Prats asked him that on the following day he should embark for the North, carrying instructions to the Admiral that he should sail at once for Callao. On the same day a decree of secret character was issued, nominating Sotomayor the Secretary General of the Admiral and of the General-in-Chief with faculty to assist in warlike operations as well as in the administrative department. The Government proposed to maintain in reserve the authorization that he was about to receive until Sotomayor should advise by telegram that he was on board the flagship, in order that the declaration, of war might coincide with the opening of operations. Later on, I will deal with this matter in

full. Lavalle knew nothing of this resolution of the Council of State till some days later.

Pinto called Saavedra who was in the North. Fierro ordered Godoy to ask for his passports, and telegraphed to the Minister of War:

«Have all the fleet concentrated and ready; do not send any ship to Peru.»

On the 2nd of April Congress authorised the President to declare war on Peru and Bolivia, and the declaration was made on the 5th of the month, the anniversary of the Battle of Maipo. Lavalle left on the 3rd for Valparaiso Post-Captain Patrick Lynch acting as his adjutant.

Don Rafael Sotomayor

The biography of Don Rafael Sotomayor will be written in the pages of this work. It would be difficult for the public confidence to place itself in the hands of a man more worthy of the trust. Seldom has a country had a more honest servant, a more level-headed patriot, or one more prudent and intelligent.

It is a glory for the Prats Ministry to have delegated its powers to a man of such value. Sotomayor had been intimately in touch with his work. The extra-official meeting celebrated in preparation of these arrangements took place in the office that he had in the Moneda Palace, of which he was the superintendent. Sotomayor, before hurriedly departing for the scene of his future glories, confided his immediate charges to the care of his intimate friend Belisario Prats, whose decided and clear-seeing attitude had influenced the incidents hitherto narrated. I shall say no more for the present about this

voyage that had so great an influence in the campaign that was about to commence.

Energy of the country

The country responded with all the energy of its vigorous patriotism to the declaration of war. Rich and poor hastened to the barracks. Past differences were forgotten and on all lips was heard one cry only, that acclaimed Chile and the President. Godoy embarked in Callao after terminating his long and skilful mission, and he was sent to Ecuador satisfying the desire of Prats that we should have a Legation in that country. Lavalle, from Lima, went as Minister to Rio de Janeiro.

Last considerations

Many men have traversed the stage during the Lavalle Mission. Pinto, Santa María, Varas, Lastarria, sincerely desired peace. Varas said in the Senate that if he had known that there was a Secret Treaty «he would always have been for war» and it is certain that the same would have been said by Santa María and Lastarria had they had occasion to have spoken. As regards Pinto the idea of war horrified him, and he did all that a man in his position could do to avoid it.

The President and the Ministry

A difference will have been noted in the attitude of Fierro and that of the President. Comparing the negotiations of Lavalle with Pinto and the telegrams of Fierro to Godoy, two distinct policies can be traced. The President could not see war coming, even when it was upon him, and to the last

moment went on believing that Peru was playing with the idea but neither desired it nor would carry it out.

On the 24th of March, at the end of the Lavalle Mission, Pinto wrote to Saavedra:

«Peru is joking. She cannot decide to declare neutrality. Prado does not want war and I believe that very few people in Peru want it, but all carry on the farce of a warlike attitude.»

Neither did he believe in the Secret Treaty, led astray by informations given to him by a very respectable Chilean whom he, having no confidence in Godoy's news, had charged to investigate for him. He had the illusion of arriving at an arrangement with Lavalle, and his pacificism ran parallel with the warlike note of the Valparaiso streets, for in his correspondence are found violent expressions blaming the attitude of those who were preaching the necessity of declaring war.

None the less, it must be said in his honour that he did not attempt to impose his opinion on the country or on the Ministry, that he judged the situation by a criterion other than theirs and did not consider himself authorised to disdain any measure of safety in face of a war in which he did not believe.

Pinto's respet for Ministerial responsibility

Before Lavalle's arrival in Santiago, the Government received a telegram from Godoy saying: «I recommend vigilance to naval forces stationed in the North.» Pinto sent on the telegram to Colonel Sotomayor at Antofagasta, and ordered the Admiral to concentrate the whole of the fleet in Mejillones. Nothing mortified his wishes more than to have to attend to a warning of such a nature, but he

had no harmful belief in his own infallibility, which is the measure of small souls and inferior minds.

The Ministry looked at matters in a different light. It had no confidence in Lavalle's Mission. On the contrary, it was persuaded that his negotiations were a mere comedy in which he was the chief actor, not in benefit of Peace, but of War,—of a war more certain to be crowned with victory than any that Peru could make at that moment. The difference in view-point to which I have referred redounds to the praise of Pinto, since, although so far from seeing eye to eye with his Ministers in the events of the day, he did not pretend to contradict them or to impose his own judgments. This constitutional and parliamentary tendency does him high honour.

The war sought by Peru and resisted by Chile

His optimism indirectly served the country well, since it allowed him to push peace propositions to an extremity and so render evident the fact that Chile was doing all that was possible to avoid war.

I have sought to emphasize the attitude of Pinto, of Santa María, of Varas, of Lastarria, of Concha and others in order to place on record the circumstances of the duel that took place between the public and a considerable proportion of the governmental body, in order that writers who seek to express the truth may not repeat that the War of the Pacific was a deep laid plot to take possession of Tarapaca and the Bolivian coast-line, whereas as a matter of fact it was a war prepared by Peru in 1873, accepted and decided on by her in Fe-

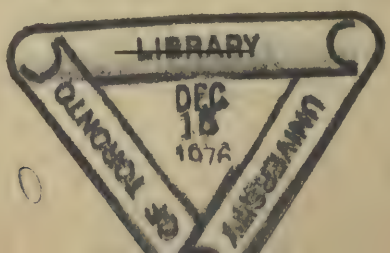
bruary 1879, but resisted and vigorously combatted among us by men who occupied the first posts in the Government, in the front line of politics and of society.

It remains for me to say that Canevaro could neither obtain in Europe the ironclads which he was in search of, nor the Minister La Torre effect in Buenos Aires the Argentine alliance, nor even the compact of subsidies which he was charged to negotiate. With this double failure the combatants entered the conflict with the same naval equipment that they possessed at the beginning of the year.

It is scarcely necessary to speak further about the attitude of Lavalle, since every move he made in Chile has been criticised in the course of my narrative of events. The mission that he discharged was not a congenial one to a man of honour. It rested on subterfuge, and his vessel's sails were filled neither with a frank desire for peace nor a frank demand for war. None the less, Lavalle was a Peruvian citizen who undertook this difficult task in the service of his country. He sacrificed himself in order that his country should have time to arm herself and to obtain alliances. Within the spirit of this thought he acted as any man who loved his country would have done in his place.

Diplomats of all the world:

Which among you would cast the first stone at him?



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